HISTORY OF THE GERMAN PEOPLE

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HISTORY OF THE GERMAN PEOPLE AFTER THE CLOSE OF THE MIDDLE AGES

By Johannes Janssen

VOL. XVI.

GENERAL MORAL AND RELIGIOUS CORRUPTION—IMPERIAL LEGISLATION AGAINST WITCHCRAFT—WITCH PERSECUTION FROM THE TIME OF THE CHURCH SCHISM TO THE LAST THIRD OF THE SIXTEENTH CENTURY

TRANSLATED BY A. M. CHRISTIE

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HISTORY

OF

THE GERMAN PEOPLE

AT THE CLOSE OF THE MIDDLE AGES

PART III

CHAPTER I

GENERAL MORAL AND RELIGIOUS CHAOS [1]

THE olden-time simplicity of habits and customs, the orderly balance of classes, sense of justice and primitive piety had already greatly decreased in Germany at the close of the Middle Ages. Growing luxury had spread through all ranks of society and sapped their stability; religion and morality were in many places at a low ebb.

Luther's advent, far from putting a check on the disturbing forces, had served rather to aggravate the general condition of things in all directions. 'The religious revolution and the *modus operandi* of the founders of the new religious system, with their utter absence of respect for all ecclesiastical rights, all church possessions, all freedom of conscience, caused

[1] Written by the Editor.

general anarchy and demoralisation among the people.'[1]

While Luther was combating the power hitherto exercised by the Church, he was undermining those very moral forces which might have been the most efficient factors in opposing the approaching collapse. By handing over, as he did, religion and Church to the power of the princes, he secularised both together, and delivered up the religious life of the nation to the arbitrary caprice of courts already corrupt and degenerate. The princes could not possibly become theologians in *one* day, even had it been only pure interest in religion that had driven them to accept the new doctrines. But this was not the case. Their object had been first and foremost to extend the political power and the possessions which the revolution had thrown into their hands, and all they cared for was to consume in growing pomp, good living, and enjoyment the wealth of means which church plunder had procured them. While many new-religionist preachers were suffering the pangs of hunger, the princes lived amid drinking and carousing, did boundless homage to the pleasures of the dance and the chase, and held feasts and banquetings the luxury of which was out of all proportion to the position of the entertainers. Not a few of the new-religionist princes, by their immoral manner of life, set the people the worst possible example. From their daily overloaded tables, from their state apartments hung with indecent pictures, went forth the religious decretals, the Church ordinances, the suspensions of

[1] Janssen, *An meine Kritiker*, 177, where very remarkable utterances of the strictly Protestant historian Droysen are quoted in proof of the above.

preachers, the prison sentences, yea, even the death sentences, issued against those who did not think exactly as they did concerning faith and justification. The sumptuous living, the luxury, and the traffic in mistresses carried on by the princes were as much as possible imitated by the nobles.[1] The sense of justice, the love of public and private charity, all religiousness and morality were inevitably choked. With no religious ideal to keep it pure and exalted the olden-time sense of knightly chivalry degenerated into a coarse taste for hunting and fighting, the chaste courtship of the nobles into low paramourship, the keen spirit of adventure into politico-religious brawls, swagger, and venality. For the terrible demoralisation and depravity of the higher classes, the Memoirs of the knight Hans von Schweinichen are as convincing a testimony as is a publication of Leonard Thurneissen zum Thurn, house-physician to the Elector of Brandenburg, for the same conditions in the burgher classes.[2]

There is no question here of exceptional cases; all contemporaries unanimously make the same statements. The writings and letters of the founders of the new Church system overflow with complaints concerning the general and growing depravity and demoralisation of the country. Quite openly they all acknowledge that it was only after the introduction of the new doctrine that this unhallowed change took place, and that the condition of things was nowhere so bad as among those who called themselves evangelical. Thus in 1556 the Protestant theologian Andreas Musculus wrote:

[1] See present work, vol. xv. pp. 332–353.

[2] Janssen, 'Zur Sittengeschichte des 16ten Jahrhunderts,' in the *Katholik*, new series, xxxi. 41–46.

'If anyone wants to see a great crowd of rascals, insolent folk, cheats, financiers, usurers, &c., let him go into one of the towns where the Evangel is preached: he will find them there in plenty. For it is indeed true that nowhere, not even among pagans, Jews and Turks, are there more good-for-nothing, disreputable people than among the Evangelicals, in the midst of whom the devil has verily been let loose.'[1] Similar complaints abound concerning the peasant class and the whole country populace. There set in also among these a senseless craze for fine clothes, boundless extravagance, drunkenness, and love of enjoyment. In the narrow limits of their humbler means this rapidly led to pauperism, misery, and all those crimes into which a mob of penniless desperadoes is wont to fall. Whole troops of beggars and vagabonds swarmed about the land and made town and village unsafe. Ragged and tattered hawkers carried scandalous popular literature, calendars, newspapers, lampoons, caricatures, into the most outlying villages and hamlets. A proletariat such as mediaeval times had never known spread itself over all the German provinces.

Instead of the 'purer and more enlightened' worship of God which the Fathers of the church-revolution had promised, the land abounded with religious indifference; wantonness, mockery of sacred things, blasphemy, and sacrilege were rife among all classes. In very truth nothing was any longer held sacred. The Protestant sects derided each other in just as immoderate and undignified a way as they one and all derided the papacy. The loftiest mysteries of Christianity were discussed in alehouses, and cursing and blaspheming were as frequent

[1] Arnold, i. 755–756.

as praying was rare. 'All the beerhouses now are full of useless preachers,' wrote Caspar von Schwenckfeld; 'they think if they can only get up a quarrel about God's work, contradict, oppose, brawl, wrangle, shout, drink, and carry on all sorts of wantonness, it is all well with Christendom; they are for ever talking about God, and they say they stand by the Word of God.'[1]

Those who had remained in the bonds of the Church were very soon also involved in the general ruin and all the conditions of their life poisoned. Contemporaries innumerable declare emphatically that it was pre-eminently the cries of the Protestants which led the Catholics astray. 'Through your carnal teaching and your stinking example,' Wizel exclaimed to the new religionists in 1538, 'you have drawn the papists into equal licentiousness.'

And thus a condition of moral and religious anarchy without a parallel spread over the different parts of the empire. Any good that still remained—and there was undoubtedly some left, especially among the women in families—was almost lost to sight amid the destructive and disintegrating influences which held their pernicious course in all departments of life.[2] That in

[1] Weyermann, *Neue Nachrichten*, 517. To the Duke of Liegnitz Schwenckfeld wrote concerning Luther, among other things, that he (Luther) had let loose from their chains a pack of mad, senseless people for whom, as for the whole community, it would have been better if he had left them chained up, as they now did and could do much more mischief than before; *l.c.* 519–520.

[2] The following remarks on the mixture of good and evil in human life were found by me among Janssen's papers: 'In every age of history the preservative and destructive forces exist side by side; different epochs are only distinguished by the preponderance of one or other of these sets of forces. When the destructive forces are in the ascendant they annihilate also whatever of good human life exhibits at the same time. On the whole we find history always depicting evil as greatly preponderant;

spite of all its deterioration the German nation still retained more good elements than later history can

and we have to seek for the good in results which outlive the age and contemporary writers. When, however, destructive forces rule they suppress these workings of good so that after generations have no means of knowing and appreciating this good. So was it in Germany after the Church schism and the revolution.' Cf. also vol. xi. 14–16. Steinhausen (*Gesch. des deutschen Briefes*) draws attention to much good still existing at this period; see especially for the contents of correspondence in the sixteenth century, i. 166 ff. of the above-mentioned book, where letters from women who had an insight into family life testify to much that was excellent. True, the shady side is also here: 'hatred and rancour are apparent. With the modern idea of closer intercourse, modern gossip and tittle-tattle also come in' (p. 176 ff.). At p. 178 ff., Steinhausen treats of marriage, which, he tells us, among the better-to-do middle classes was as a rule a pure matter of business: 'marriages were entirely arranged' (p. 180); at p. 181 he says: 'The whole affair has an unsympathetic ring about it. The great inclination to matrimony points indeed to love of life and to constitutional vigour, but the whole mode of contracting marriages has the stamp of cold-bloodedness and odious calculation.' Vol. ii. p. 92 ff. he says: 'Among German women in 1600 want of culture is on the whole manifest, but there was more naturalness and moral healthiness in the female than in the male world, and also more family love.' 'But the ancients were not only natural, racy of the soil, pious: the joy to live had never been unknown to them. What we miss in this altogether deplorable century (the seventeenth century), true, genuine humour, was still found amongst the women.' P. 98: 'In the higher and the highest circles also, although the influence of new fashions is far stronger with women, we find in the main the same conditions.' P. 100: 'As little as the princesses were the introducers of or instigators to immorality and extravagance, so little also were they the devotees of foreign fashions. It was they alone who kept up among the courtlings the old family life (which in its simplicity often seemed sordid), the national originality, solidity, and naturalness of character.' See also Steinhausen, *Kulturstudien* (Berlin, 1893), p. 68 ff., where he justly says: 'The tremendous social upheaval which took place in the sixteenth century touched women, in its immediate effects, the least of all. The year 1500 saw the burgher class to all intents and purposes dominating. Then came the change. The upper circles—the chief imitators of the vicious customs of the neighbour country—now gave the tone to society and the court became the ideal. The women only, so far as was possible, retained throughout the burgher mode of thought. The chief reason of this is that they still lived as before in the family and for the family,

show, is evidenced by the fact that it passed through the storms of the sixteenth and even of the seventeenth century without becoming completely disintegrated.[1] How far this disintegration had proceeded is seen from the startling—at times certainly exaggerated—complaints of contemporaries.

'We cannot, alas, deny,' says a document (interlarded with Bible texts) of the Constance Council of February 5, 1544, 'that Germany is altogether sunk in all manner of terrible sins and vices, that the life of the towns and burghers is greatly polluted, that all civil discipline is at an end. Honour and riches are misused for vainglorious ends, for pomp, pride, superfluity, arrogance, not to speak of worse vices. Those who have embraced the Word of God, remain in their old skins. We are keen enough about retaining our traditions, our freedom, our position, and we consult seriously over these matters; but how to establish in our midst Christian morality, godliness, and piety, this is of little moment to us. It is to be feared that God has finally resolved to punish Germany with

the princess like the merchant's wife. Hence the contrast between them and French women. German women were not intellectual, they had no crowds of admirers, but neither were they coquettish and frivolous; they were not natural in the sense approved of in *salons*, but natural and domestic as family life made them; they did not rule, but they influenced. This state of things lasted on till, towards the end of the century [the seventeenth century], women too succumbed to the aggression of modern times, and countless instances of indiscretion and immorality among the burgher class also show a melancholy and corrupt condition of womankind.'

[1] See Schmid in the *Histor. Jahrb.*, xvii. 97. The latter remarks, moreover, that by Janssen's exposition in vols. vii. and viii. the belief in the exclusively beneficial results of the Reformation, in a thoroughgoing improvement in all departments of life, especially in schools and education, effected by it, is finally demolished. The materials collected in such an overwhelming mass cannot be ignored, and protestations from the opposite side will not restore the picture that has been destroyed.

blood, and since it has drunk itself full with foreign blood and all sorts of iniquity, and still persists in so doing, it must now be drowned in this alien blood and be destroyed in its own wickedness.' [1]

Luther appears to have been very deeply distressed because the new doctrine preached by him did not bring forth the fruits he had promised to the world. Already in 1523 he had compared his own neighbourhood with Sodom and Gomorrha. 'All the world,' he said, 'is given up to eating, drinking, profligacy, and all manner of vices.' 'We have become a shame and a laughing-stock to all other nations,' he says two years later; 'we behave like scandalous, disgusting brutes, thinking all day and night of nothing else but how we can fill ourselves with drink and get rid of all our reason and wisdom.' 'Germany from beginning to end leads a downright swinish existence, and if you were to paint her rightly you would paint her like a hog.' [2] As time goes on Luther's wails grow more and more bitter. After the new evangel had been preached for ten years he wrote: 'There is no discipline and no punishment; insubordination of all sorts, both among peasants and nobles, is at its height, so much so that if a word of reproach is spoken, they become all the worse, and behave still more defiantly and wickedly, for they know right well that they will not be punished. We have pretty well come to the days of which the Prophet Amos says: "It is a time when a wise man shall hold his peace." For if anyone speaks against them they behave straightway as if they

[1] *Stadtarchiv zu Frankfurt-am-Main.* See vol. iii. 574, note 2.

[2] Collected Works, Erlangen edition, xxviii. 420; xxxvi. 411, 300. Frankfort edition, x. 86; viii. 295, 294.

had been shown how they might do even worse. How could it be worse, when neither silence nor speaking avails anything? If one is silent they grow worse from day to day; if one speaks against them they become even worse. And so the poor and the wretched must remain unhelped. It is all the fault of the princes and the overlords, who have let things go so far that now they can do nothing though they gladly would. But there will come one who will drive off all such dastardly gluttons. For it has gone too far, and the sack must soon burst and the cord be snapped in two.'[1]

'It's just the same now everywhere, for everybody—peasant, burgher, nobleman—thinks only of heaping up thalers, eating and drinking, and carrying on all sorts of iniquity, just as if God were nothing whatever, and nobody troubles himself about the poor Christ with his beggar's staff, but tramples him under foot, till at last, here in our midst, just as at Sodom and Gomorrha, all obedience, discipline, and honour are disappearing (because no amount of exhorting and preaching is of any use), and things are so bad that they cannot go on like this for ever.'[2]

In 1532 also Luther predicted the near approach of the end of the world: 'Who could imagine all the wickedness that now goes on in all classes and in all dealings? What is the world but a huge, vast, raging sea of iniquity and roguery, with a fair outside and decked with fine colours, which one can never get to the bottom of? But it is now at its extremity of evil, which is a sign that it cannot go on much longer and is near its grave. For as the saying goes:

[1] Collected Works, Erlangen edition, xxxix. 249–250.

[2] *Ibid.* Frankfort edition, xiv. 399.

Je älter je kärger,
Je länger je ärger,[1]

and everybody grows so avaricious, that there is no food or drink to be had for many people, although God has given enough for all.'[2]

The widespread avarice and greed, combined with abominable cheating, were lamented by Luther again in the following year. This vice, he said, reigned among the peasants as well as among the nobles. 'Everybody heaps up money, drinks and eats, lies and cheats, the one outdoes the other as much as he can.'[3]

Among vices which did not develop and spread till after the Reformation Luther includes (besides avarice, thieving, usury, anger, envy, drunkenness), blasphemy and adultery. 'And yet they do not distress themselves one whit, but go on with their wickedness and think it all roses.'[4] Nearly the whole female sex was tainted with immorality. 'Few are they, women or girls, who think they can be joyous without being immoral. In language they are bold and coarse, in behaviour wild and wanton. . . . And what is specially grievous is that the young girls are so bold in their talk and conduct; they curse and swear like *Landsknechts*, not to speak of the coarse, offensive words and sayings which they catch up from one another.'[5]

The worst fruits of his teaching Luther met with among the rising generation. 'It is now, alas, one of the commonest complaints everywhere that young people are so disobedient, wicked, and self-willed

[1] Avarice grows with age: The longer the worse.
[2] Collected Works, Erlangen edition, xliii. 229.
[3] *Ibid.* Frankfort edition, ii. 411. [4] *Ibid.* Frankfort edition, ii. 205.
[5] *Ibid.* Frankfort edition, vi. 401.

alike in all classes.' 'It 's pitiful to see how children are brought up nowadays; there 's no discipline, no honour among them; the parents allow them to have their own way in everything, and keep them in no sort of awe; mothers do not look after their daughters, they give in to them in everything, do not punish them, teach them neither modesty nor respectability.' 'It is a constant source of complaint, and, alas, all too true, that the young of the present day are so dissolute and unruly, and will not be guided. How little respect do they show their parents, their teachers and masters; they know nothing about God's Word, about baptism, or about the Holy Communion, they go on in dense ignorance, they are wild and uneducated, and grow up in sin and wickedness.' [1]

'Good God!' exclaimed Luther in 1532, 'one sees nowadays boys and girls of ten or twelve years old who swear "Marter, Velten, Franzosen" (martyrdom, epilepsy, venereal diseases), and other horrible oaths, and are otherwise coarse and disgraceful in their language.' [2] 'But how can one wonder at such things when one sees how the children are brought up. They are taught nothing nowadays but sharp and cunning ways of getting food; parents think themselves free to do just as they like with their children, just as if there were no God who had commanded them otherwise, and as if they themselves were God and Lord over their offspring.' 'Mark you this, if children are not educated in learning and industry, but are allowed to grow up mere pigs and gluttons, where will our pastors, preachers, and other labourers

[1] Quoted from Döllinger, *Reformation*, i. 341-342.
[2] Collected Works, Frankfort edition, vi. 441.

for the Word of God, for the Church and the ministry, come from? Everything would go to ruin—spiritual, worldly, domestic, conjugal affairs—and the world would become one huge pig-sty. Whose is the fault of all this? Whose else but the criminal parents who have children whom they might bring up for the service of God, but whom they only teach the service of the belly?'[1]

Not the parents only, but the preachers also, Luther said in 1529, were heavily to blame for the way in which young people were brought up. 'We do so earnestly insist on having the catechism taught and learned, because we see that many pastors and preachers are very remiss in this respect and neglect both their office and this teaching. Some of them think the catechism beneath them; others, however, from laziness and love of their bellies, who behave just as if they were pastors and preachers merely for the sake of these bellies, and had nothing to do than to eat up their incomes, as they used to do under the papacy. And although, nowadays, they can find all that they have to teach and to preach, so profusely, clearly, and simply put together in such numbers of admirable books, they are not pious and zealous enough to buy such books, or, if they already possess them, to study them. Oh, they are indeed scandalous gluttons and belly-servants, and they ought rather to be sow-herds and cow-herds than pastors and ministers of God.'[2]

As the plan was to carry everything through by force, Luther thought also to effect a change in these conditions by compulsion. When the Margrave George

[1] Collected Works, Erlangen edition, liv. 119–120.
[2] *Ibid.* Erlangen edition, xxi. 26.

of Brandenburg complained of the irreverence and laziness in the service of God which had set in among old and young since the abolition of the Catholic faith, Luther answered (September 14, 1531): 'The people, who are accustomed to the old ways, must drink and idle themselves out; with time things will grow better. It is also largely the fault of the preachers; they must be kept up to their work and driven, as St. Paul teaches; for the majority have only come into sudden freedom, and they must be allowed to have their fling for a while. It would be a good thing if your Princely Grace were to enjoin on both pastors and parishioners, on the strength of secular authority, that they must all teach and learn the catechism, and also that since they wish to be considered and called Christians, they must be compelled to learn and know that which a Christian ought to know.'[1]

While Luther speaks here of the anarchy and demoralisation as transitory and accidental, he is forced in other places to confess that: 'Had I foreseen all this abomination, I should never have begun to teach the evangel.' 'Who indeed would have set about to preach,' he said in 1538, 'had he known beforehand that so much disaster, riotousness, offence, sacrilege, ingratitude, wickedness, would be the result? But now we are in the midst of it, we must go through with it, and recognise that it is not man's strength and doing but the Holy Spirit Himself that can help us through; or else we shall not be fit people for the work.'[2]

Such indeed was the anarchy that Luther often

[1] De Wette, iv. 307–308. See Collected Works, Erlangen edition, liv. 254–255.

[2] Döllinger, i. 304–305.

declared that everything was topsy-turvy. Thus in 1530 he wrote: 'A prince is an emperor; but he is also a merchant and trader. Likewise a count is a prince, a nobleman a count, a burgher a nobleman, a peasant a burgher, a servant is lord, a maid is mistress, an apprentice is master; everybody is what he wishes to be, does what he likes, behaves as it pleases him. Whatever sort of bounty or justice falls to the poor and needy masses under this *régime*, it 's all right and fair, just as it should be. Who could tell of all such iniquity, or adequately describe it?'[1]

Five years later comes the complaint: 'For to such a pass has the world come nowadays that almost all vices have grown into virtues. To be avaricious is to be circumspect, to act prudently. And as with avarice, so, too, all other sins and shortcomings are dressed up as virtues. Murder and whoremongery are still to a slight extent regarded as sinful; but other sins must almost all be labelled as though they were not wrong but virtuous. Especially is this the case with greed and avarice. No prince, no count, no nobleman, no burgher or peasant is any longer avaricious; all are honest and good. It can be said of all: That 's an exemplary man, that 's a sensible man, he thinks of making provision for himself.'

'So it is with other sins; pride must not be called pride, nor sinful; it is a sense of honour. If a man is haughty it is said of him: That 's an honourable man, he comports himself with dignity, he will make a name for his race. Anger and envy must not be called anger and envy, or condemned as sins: they are justice, zeal, virtue. If a man flies into a rage, shows envy or hatred,

[1] Collected Works, Erlangen edition, xxxix. 249.

it is said of him: He is so eager, so much in earnest, so keen after justice, he has good reason to be angry, he has met with violence and injustice, &c. And so there are no more sinners in the world, and God be praised, the earth is full of saints. Seneca says: "Ibi deest remedii locus, ubi vitia honores fiunt" (Where vice is honoured, there is no remedy). When vice is decked out as virtue, all 's up with the world.' [1]

'The Pharisees and the rich man cared nothing, just as to-day our squires, peasants, burghers, nobles, care nothing, whatever may be preached and said about them. Has it not come to this, that the coarsest vices, drinking and gorging, are no longer considered disgraceful, but drunkenness must now be called joviality? And just as all vices have become virtues, so, too, is it with avarice, so that I no longer know a single avaricious prince, count, noble, burgher, or peasant; and yet if they could sell a bushel of corn in the market for four gulden they would do it. Everybody scrapes, rakes, scratches, fleeces, and flays from princes down to maid-servants. In short, everybody is devoured with avarice, and yet nobody must be called avaricious.'

'And as with avarice so with all other vices. What can we do? If we preach against them they laugh at and ridicule us, will not recognise their sins or allow that they have done wrong, they only want to go straight on in the way that took the rich man of the parable to hell. . . . Well, if they will have it so let them go to the pit of hell. We cannot help it, if they will not submit to punishment, or go to confession and reform themselves.' [2]

[1] Collected Works, Frankfort edition, v. 254–255.

[2] *Ibid.* Frankfort edition, v. 256, 257.

'The whole world is nothing else than a topsy-turvy decalogue, and the devil's mask and counterfeit; there 's nothing but contempt of God, blasphemy of God, disobedience, harlotry, vanity, thieving, murder, &c. Prepare the world for the shambles; the devil fares better with us than with Turks, Pope, soldiers, and sects.' [1]

'But worse still than avarice, whoring, and immorality, which had the upper hand everywhere nowadays,' wrote Luther in 1532, 'was the general contempt of the Gospel.' 'Avarice, whoring, and immorality are great and terrible sins, and our Lord God punishes them with famine and pestilence; but all the same the land and the people are left standing. But this sin of contempt of the Gospel is not a human but a devilish sin, so fearful is it to despise, laugh at and mock the great mercy of the fatherly visitation of God.' [2]

'How full the world is of people who are ungrateful for the evangel, we see plainly before our eyes, not only in those who intentionally persecute the known truth of the Gospel, but also among us who accept it and make our boast of it; the great masses are also so abominably unthankful that it would be no wonder if God were to come down upon us with thunder and lightning, yea, verily, with all the Turks and devils from hell. So quickly have we forgotten how we were plagued under the papacy and, as it were, overwhelmed with a sin-flood, with so many strange doctrines which put our consciences to torture. But now that through God's grace we are free from all that, we show our thankfulness in a way

[1] Collected Works, Erlangen edition, lvii. 308.

[2] *Ibid.* Frankfort edition, iv. 6.

calculated to bring down God's wrath upon us still more heavily. For let each one consider what unpardonable wickedness it is, when we have received from God such great, sure, immeasurable bounty as forgiveness of all our sins, and being made partakers of the Kingdom of Heaven, that we will not even make Him such slight return as to think about it, and on this account to forgive our neighbour a trifling word from our hearts, not to speak of the duty laid upon us to help and serve our neighbour. We have got the Evangel, God be praised! that nobody can deny; but what do we do for it? We are content to talk about it, nothing more comes of it; we do not trouble ourselves to act up to it. But we do trouble ourselves a great deal if we should chance to lose one or two guldens; we are very anxious and fearful lest our money should be stolen from us, but we can do without the Gospel for a whole year. God will not leave unavenged this shameful contempt of His Word, and He will not be long in avenging Himself.' [1]

'The more one preaches,' said Luther in 1553, 'the more quarrelsome and unruly they become, and they do worse and worse things out of sheer defiance. Justices and official people are just as bad. When the pastor admonishes them and says, This is the commandment of God, they answer: I 'm not going to do what the parson tells me; it 's no business of his how I conduct myself; is he going to lord it over me?' [2]

Eight years later he wrote: 'It 's come now to this, and can scarcely go further, that in some of the towns

[1] Döllinger, *Reformation*, i. 297–298. Numerous other passages about the contempt of the Gospel and its ministers are chronologically arranged by Pastor in his *Reunionsbestrebungen*, 112 ff.

[2] Collected Works, Frankfort edition, vi. 8.

and villages the people threaten their pastors and preachers that, if they go on rebuking them for their sins from the pulpit, they will drive them away; moreover, anyone who can take anything from these parsons and preachers is canonised. If they complain to the officials they are called avaricious people whom no one can satisfy. "Ei," they say; "formerly a pastor had 30 guldens and was well content; now they want 90 and 100." But if the officials are avaricious, thievish, and dishonest, then it is Christian sanctity.'[1]

Already in 1537 Luther no longer had any doubt that the Day of Judgment was not far distant, although the highly cultured and hyper-reasonable world was not in the least concerned about it. 'Certainly they did not see it, although their cultured intellect should tell them that, if a just God exists, punishment cannot be delayed much longer. Are there not in Scripture the examples of Sodom and others? It is an old prediction, reiterated by numbers of teachers, that, after the coming of the Antichrist, people will become so wicked that they will no longer hear about or believe in any God, but each one will do as he likes, as the devil or his flesh leads him. Such a time we now see before our eyes. For since, through God's wonderful and special grace, the horrible lying and misleading of the Antichrist or the papacy have been shown up and have come to the light of day, the people are beginning to believe nothing more. And whereas they feel themselves free and released from the bonds and chains of the papacy they want also to be free and released from the evangel and from all God's commandments, and everything henceforth that they feel and wish to do is to be considered

[1] Collected Works, Erlangen edition, xxxii. 78.

good and right. This will certainly be the end of the song, God willing.' [1]

The older Luther grew the more frequent were his complaints of the moral anarchy in social life, and of the increase of vice even in his own immediate neighbourhood. On September 8, 1541, he wrote to Link at Nuremberg, who had complained of the 'contempt of the Word' in that town, that he might comfort himself with the thought that the worst of all evils was now reigning, unbridled licentiousness of life without law or religion: 'Our people will now neither hear nor heed the Word of God, a state of things which cannot fail to produce vice.' Two months later he sent a wail to the preacher Anton Lauterbach in Pirna: 'I have well nigh given up all hope for Germany, for greed, usury, tyranny, discord, and the whole host of dishonesty, wickedness, and roguery are reigning everywhere—at the courts, in the towns and villages, and added to all else contempt of the Word and ingratitude.' Of the same date is a letter of complaint to Justus Jonas concerning the 'quite Satanic contempt of the Word.' [2] 'This unspeakable contempt of the Word,' wrote, in the same year, the originator of the Church split in Germany, 'and the unutterable sighs of the pious show that the world is at its last gasp, and that the day of its destruction and our salvation is drawing near. Amen, so be it, Amen. Thus was it with the world before the sin-flood, thus

[1] Collected Works, Erlangen edition, lxiii. 345–346.

[2] De Wette, v. 398, 407. On January 23, 1542, Luther wrote again to Jonas about the godless assurance of the great masses, who were now so reckless that they not only despised the daily outpoured wonders of the evangel, but also the fury of the devil; *l.c.* 429. Cf. Döllinger, *Reformation*, i. 348 ff.

before the destruction of Sodom, thus before the Babylonish captivity, thus before the fall of Jerusalem, thus before the sack of Rome, thus before the misfortunes of Greece and Hungary, thus will it be, thus indeed it is, before the downfall of Germany.' The idea that the end of the world must be at hand, on account of the general depravity, occurs more and more frequently in Luther's letters of this period. All vices, 'greed and usury, animosity, drunkenness, envy, pride, godlessness, blasphemy, had increased to such an extent that the Lord would certainly not spare Germany any longer.' 'I am weary,' he said in a letter to Amsdorf of October 29, 1542, 'I am weary of living in this abominable Sodom, or ever of seeing anything of it. The Day of Judgment is at hand, the world deserves destruction.' Again on April 2, 1543: 'Ah, that this same day of our redemption would come and make an end of this great misery and diabolical state of things!' Repeatedly at this period Luther expressed the wish that not he alone, but all belonging to him might be snatched by a speedy death out of this 'Satanic age'; even if God were now to take away his dearest daughter Margareta, it would not cause him very great grief. The cradle of the new evangel, Wittenberg, seemed to him a second Sodom, and the zealous, new-religionist Leipzig, with its pride and its avarice, still worse than Sodom. 'They wish to be damned,' he wrote to Amsdorf six weeks before his death, 'well, then, so be it; let them have their wish.'[1]

That Luther with his gloomy pictures by no means exaggerated is shown by countless utterances of his

[1] De Wette, v. 502–503, 552, 703, 772. Döllinger, *Reformation*, i. 319, 348 ff. See also present work, vol. vi. 276.

friends and helpers which are no less dismal than those of the leader himself. The lament over the general increase of licentiousness and depravity and of contempt of the Gospel forms the basis also of Melanchthon's letters and writings. What sort of conditions had come in under the rule of the new evangel, Melanchthon had already experienced in 1527 on the occasion of a Church split in Thuringia. Justus Jonas had at the time lost a son; Melanchthon comforted him by pointing him to the sadness of the times. 'I think you now see better at Wittenberg what depth of ruin threatens all that is good, how great is the hatred of men towards each other, how intensely all that is honourable is despised, how gross is the ignorance of those who are set over the churches, and besides all this how godless the princes are.'[1] All through Melanchthon's private correspondence runs the complaint of the growing demoralisation of the times. Whenever he has to administer consolation he almost invariably says that death is to him a haven of rest from the unendurable conditions of life. Above all, into the bosom of his intimate friend Camerarius did he pour forth his unspeakable grief, his bitter sighs.[2] 'I am seized with agony beyond all conception,' he wrote in June 1528, 'when I contemplate the conditions of our times. Nobody hates the evangel more bitterly than the very people who pretend to be of our party. The wickedness of the peasants is intolerable, and it has reached its climax; more quickly than we could wish they will have to expiate their godlessness in terrible guise.' Again and again he declares that the sins and vices

[1] *Corp. Ref.* i. 888.

[2] *Ibid.* i. 913, 1000, 1110; iii. 58; v. 241; viii. 674, 832.

of the Protestant princes, preachers, and people cause him more anxiety than the onslaughts of the opponents.[1]

In 1545 Melanchthon divided the Protestant party into four classes. 'The first class,' he said, 'consists of those who love the Gospel in a natural way, i.e. they detest the bonds of Church laws and usages and prefer the dissolution of all discipline. Since it is their opinion that the teaching of the Gospel is the quickest way to the attainment of this licence, this throwing off of all that is burdensome, they turn to it with blind love. In this first class we may include the greater part of the common people who understand nothing of the grounds of the teaching and the sources of the dissensions, and who look on the course of the evangel as the ox watches the new gate. The second class are the grandees and the nobles who know how to order and direct their religious opinions according to the opinions and inclinations of the rulers of the moment. There are many such nowadays at the courts, who approve this or that religion, not because of conviction, but because they do not wish to oppose the princes. The third class consists of people who make a great pretence of piety and of quite especial zeal, but under this cloak they seek only to gratify their own lusts. To this class belong many light-minded people. Finally, the fourth class is those whose convictions are based on their own understanding; but of these there are few.'[2]

'The majority of Germans,' wrote Melanchthon in 1548, 'hate the Word of God as much as they hate us.'[3]

[1] See the passages in Döllinger, *Reformation*, i. 373 ff. For Melanchthon's complaints of the princes see present work, vol. vi. 244.

[2] *Corpus Ref.* v. 725–726. Döllinger, i. 377–378.

[3] *Corp. Ref.* vi. 778.

Unendurable was the tyranny of the princes and the nobles, the quarrelsomeness and backbiting of the preachers, lamentable the decay of learning, appalling the licentiousness of the people. Exactly like Luther he complained especially of the contempt, neglect, and starving-out of the preachers, of the general demoralisation, of the complete disappearance of godfearingness, and of the prevalent religious light-mindedness.[1] Added to all this was the disagreement among the new religionists even on essential matters. In respect to all these conditions Melanchthon's letters grow more and more dolorous and wailing. 'Had I as many tears as the waters of the Elbe,' he wrote in September 1545, 'still they would not cease to flow.' Later on, the Elbe was not enough for him, he could weep 'as much as the Elbe and the Weser together.'[2] He stood helpless before the prospect of universal decay; like Luther he tried to explain the horrors of the situation by the workings of the devil; then again he summoned astrology to his help, or pointed to the nearness of the last day: 'Woe, woe! in these latter days the world is growing boundlessly insolent; the majority of people are so licentious, they will submit to no restraint whatever.'[3] There is no end to the lamentations in his letters. 'This most miserable anarchy,' he says again, 'causes me such anguish that I would gladly leave this life. The princes by inconceivable iniquity are driving wounds into the Church, and with the Church dignities they also carry off Church property; only a few of them support the ministers of the Church and of learning with their own generosity. Anarchy strengthens the presumption of the wicked,

[1] Döllinger, i. 376 ff., 395 ff. [2] *Corp. Ref.* v. 852; vii. 543.
[3] Melanchthon's Comment. in Matthaeum.

and the neglect of learning threatens to bring on another age of darkness and of barbarism. The present is full of crime and fury and more intent on sycophantism than former ages were. Contempt of religion parades quite openly. In the times of our forefathers love of enjoyment did not rule as it does with us nowadays. This is the cause of all the wars and plunderings, and all other dire calamities which afflict the land; all vie with one another in boundless licence to gratify all their desires.' [1]

In exact correspondence to the language of Luther and Melanchthon was that of the other Fathers of the innovation in Saxony, Spalatin, Lange, Jonas, Amsdorf, Bugenhagen, and Cruciger, concerning the moral conditions that had prevailed since the politico-religious revolution. Justus Jonas said as early as 1530: 'Those who call themselves evangelical seek, in great measure, only carnal freedom from the evangel. As to the fruits which ought to follow the Gospel they are quite indifferent, and not only is there no longer any fear of God among them, but also no outward discipline; they are sick and weary of preaching, they look down on pastors and preachers as on the dirt and dust of the roads, and would gladly trample them and the evangel under foot. Besides which peasants and burghers despise all art and learning; however much they are screamed at and admonished to maintain schools for the training of children, they pay no attention, and nobody will help, for the love of God, to keep up such useful institutions, for they all prefer to spend their money on their own stomachs. And besides all this the common people are growing so turbulent, so coarse and wild as if the evangel

[1] See the motto to the third vol. (English v. and vi.) of the present work.

had only come to give lewd rascals scope and freedom for their vices.' [1]

'Our people,' wrote Bugenhagen in 1531, 'will hear nothing else but the evangel; but they do not improve on it, rather they grow wild and reckless.' Amsdorf acknowledged in 1554 that: 'The worst of vices are now in full swing; things have reached the highest pitch and can go no further; the world is deluged with iniquity as with a sin-flood, and among those who make their boast of the evangel, vices are no longer considered sinful, but honourable, praiseworthy deeds.' [2]

Complaints and nothing but complaints of this sort emanated also from the remaining co-operators in the religious revolution. The Hamburg preacher Æpinus died in the conviction that a reign of epicureanism would shortly set in under which people would shamelessly and unscrupulously shower contempt and ridicule on all religion and faith. The Hamburg preacher Westphal complained in 1553 that it 'was not the common people only who abused evangelical freedom, who shamelessly gratified their passions, who were destitute of all fear of God, and plunged headlong into sin and wickedness, but the upper classes also lived in boundless license according to the prompting of their lusts.' If the preachers did not completely close their eyes and only touched the sores with their little fingers, they were rated as agitators and traitors. A year earlier Hermann Bonnus had said in Lübeck: 'When the Gospel is preached, it happens for the most part that the

[1] Döllinger, ii. 115. See present work, vol. v. 98, 99. See also the remarkable document sent by J. Jonas to the Princes of Anhalt, May 10, 1538, in Kawerau, *Briefwechsel des J. Jonas*, i. 283 ff.

[2] Döllinger, ii. 145, 123.

hearers, caught with the false notion of evangelical freedom, lead carnal lives and think they are at liberty to do whatever they like, as though they were no longer bound by any laws and no longer needed to do any good works.' [1]

A Church hymn by Erasmus Alber says:

Worse it has never been
Since the world began;
Each one may now behold
What Christ Himself foretold.

No love or faith on earth remains,
Trickery in each one reigns,
The rich oppress the poor,
They sweat them more and more,
And only think of gains.[2]

The Hessian pastor Justus Alber spoke exactly to the same effect. Another Hessian preacher, John Rosenweber, pastor at Marburg, made the following confession in 1542: 'If we turn to the evangelicals we find among the greater number nothing else than carnal security, abuse of Christian freedom, egotism, self-glorification, and above all, gross ingratitude, blasphemy and contempt of the Word, and extreme solicitude for temporal maintenance.' 'So great is the contempt of religion,' complains a third Hessian preacher, 'so much is virtue trampled under foot, that we cannot regard these people as Christians, but as inhuman barbarians.' Bucer himself wrote to his Landgrave in 1544 about the 'offence which the extravagance, the scandalous living, and the immorality of the new religionists occasioned.' A year later he said, 'One saw not a few papists who, in reverence towards God, in morality of life, in honesty, faith, and peaceable-

[1] Döllinger, *Reformation*, ii. 486, 495, 498. [2] Wackernagel, 220, 231.

ness towards their neighbours, and in benevolence to the poor far exceeded the evangelicals.' Capito in Strasburg said 'the world had exchanged the "semblance of sanctity" for open denial of God's providence and for the most vicious epicureanism. The masses, accustomed to licence, have now grown completely ungovernable; it is as though with the destruction of papal authority we had also annihilated the force of the Sacraments and of the whole ministerial office. For the people exclaim: I understand the evangel well enough; I can read it for myself; why should I want your help? Preach to those who are ready to listen to you, and leave them the choice of accepting what they like.'[1]

The depravity of the young generation growing up under the rule of the new doctrines is pointed out emphatically by the Würtemberg pastor John Klopfer: 'There is now no shame or modesty left, no discipline, no honour, yea, verily, not a spark of godfearingness among this luckless young generation, and the young will neither submit to punishment nor to guidance.' The Nuremberg preacher Althamer also said that young people had never been so vicious as at the present time. The Würtemberg theologian Brenz, in the preface to his sermons, spoke as follows of the Lutherans: 'They have now for a number of years heard the pure evangel preached to the point of satiety and loathing, but are not by one hair's breadth the better for it; on the contrary, they plunge ever more and more headlong into the most scandalous wickedness. Their godlessness far surpasses that of the Sodomites and

[1] Döllinger, *Reformation*, ii. 207–208, 223; xiv. 33, 45 ff. See present work, vol. vi. 244.

time fails me to tell of all the vices of the present times, for there are as many different kinds as there are men and women in the world. From day to day audacity increases, and shame and modesty decrease in proportion. It was not only one and another here and there who transgressed all laws, human and divine, but everywhere, everybody went their way in multitudes to confuse and upset all ideas of right and wrong. But all this even was outdone by the abomination of overweening contempt for the evangel.' The Augsburg preacher Caspar Huberin had begun as early as 1531 to despair of the condition of things brought on by the religious innovation: the more people wrote, taught, and preached, he said, the worse things became; no one was any longer afraid of any sin. Another Augsburg preacher, Caspar Meier, complained exactly in the same way of the absolute moral indifference of his co-religionists. Gallus at Ratisbon wrote: 'The whole multitude of evangelicals go on confidently without penitence or improvement. Things have gone so far that they can scarcely go further. The most outrageous immorality spreads without limits.' James Schopper, pastor at Biberach, in 1545 drew an out-and-out hopeless picture of the fruits of the new preaching: 'the young people, in these last thoroughly corrupt times, plunged into a variety of vices; an era of complete barbarism was setting in'; Schopper predicted a universal catastrophe.[1]

Equally melancholy admissions as to the moral corruption consequent on the Church revolution were made by the most important of the Protestant philologists and schoolmen, jurists and statesmen. 'All

[1] Döllinger, ii. 79, 93, 319, 353, 577, 578. Note 14, 574.

departments of life,' wrote Joachim Camerarius in 1546, 'are permeated by brazen-faced immorality; open and shameless unrighteousness reigns almost everywhere.' The Freiberg rector, John Rivius, in 1547, summed up his life's experiences in the following words: His own epoch was distinguished from all preceding centuries by a preposterous increase of licentiousness and by utter corruption of morals, which had now reached such a pitch that godlessness and epicureanism were dominant throughout Christendom, law had lost all authority, and blind passion and lust seemed alone to have any power. 'By far the greater number of people,' Rivius goes on, 'trouble themselves in no wise about curbing their carnal lusts, about sobriety and temperance, but they follow drunkenness and other vices wholesale, plunge head over heels into all the worst excesses and are not restrained by any fear of God; they serve their passions and pursue all sorts of godlessness, while all the time they boast loudly of their faith. When the people hear that there is no other satisfaction for sin than the death of the Redeemer, they at once begin to behave as though they might now sin without offence, give themselves up to the pleasures of the table and to voluptuousness, do just what pleases them, and indulge *ad libitum* in fleshly delights and enjoyments; for now, they seem to think, they must no longer fast and pray; yea, verily, they have no longer any scruple in robbing, pilfering, and injuring others, just as if Christ by his work of redemption had obtained for sinners the right to go on sinning unpunished. How many are there who do real, actual penance, while boasting so much of their faith? Many nowadays seek to quiet their

consciences by reading diligently all those passages in the Bible which speak of God's immeasurable mercy, but to those which admonish to improvement of life they give no heed, and thus, victims of self-delusion, they go on to ruin.' 'If you are an adulterer, or a whoremonger, or a covetous person, or if you are stained with other sins and vices, only *believe* and you will be saved. You need not be in the least terrified by the law, for Christ has fulfilled the law and made satisfaction for the sins of mankind.' Talk of this sort gives great offence to pious souls, leads people to a godless life, and causes men and women to persist in shame and wickedness without any thought of reforming their lives; such opinions encourage the godless in all sorts of wickedness and take from them every stimulus to improvement of life.

In the same year the Meissen rector George Fabricius wrote: 'I do not think there has ever been a more corrupt age, an age more hostile to all virtue and respectability than the present one.' The Protestant jurist Melchior von Ossa, in agreement with numbers of other Protestants, attributed the 'tremendous increase of vice of all sorts' first and foremost to the preaching against good works.[1]

These gruesome accounts are confirmed and multiplied by countless documents, chronicles, laws, Church ordinances, and inspectoral protocols of unequivocal meaning and intent. These documents show that even if the language of the complaints is frequently overdrawn and exaggerated, the kernel of the description is just; they give further an insight into the special evils

[1] Döllinger, ii. 593, 600 ff., 606. See present work, vol. vi. 505, vol. xiii. 439–442, vol. xiv. 28 f.

in the different provinces and afford proof that not one single Protestant territory remained free from moral and religious anarchy.

The Saxon electorate, the cradle of the new faith, had already been mentioned by Luther as the land in which corruption had reached a specially terrible pitch.[1] This statement was fully endorsed and confirmed with particulars by the inspectoral reports of the Saxon electorate of 1527–1529. Numbers of parsonages, they say, were entirely deserted or else occupied by incapable or immoral men. The preacher at Lucka 'had three wives all living at the same time, without having been divorced from any of them.' 'The people lead evil, immoral lives, in open defiance of the ministers of the Word. In Cölpin the peasants call out to the preacher: "What does the lewd parson preach about God? Who knows what God is, or whether there is a God?"' At Zinna the people refused to learn the Lord's Prayer, because it was 'too long.' Numbers of churches were used for sheep-shearing and for storing the Whitsun beer; others were desecrated by indecorous practices. 'At Neiden the peasants tried to stone their clergyman, and when the latter complained, the judge laughed at him.'[2]

A second inspection of the electoral circle of Wittenberg in 1533–1534 reported the same anarchical conditions. The inspectors spoke of: 'Dearth of Church and school officials, increase of vice of all sorts, contempt and blasphemy of the Divine Word, wanton

[1] See Döllinger, i. 302 ff.

[2] See the quotations from Burkhardt in the present work, vol. v. 98; and the *Wissenschaftliche Beilage zur Leipziger Zeitung* of November 20, 1890.

and irreverent behaviour during divine worship, disturbance of preachers by open contradiction or unseemly and noisy proceedings. At Globig the congregation were in the habit of handing each other cans of beer during the service, not to speak of the bad behaviour of the men to the young women in church.' [1]

Reports of an inspectoral tour in the Saxon electoral circle in 1555 dwell with special emphasis on the widespread contempt of preaching and of the Sacrament.[2] The so-called 'Wittenberg Reformation' of 1545 complains of the licentiousness of the period and the utter demoralisation of numbers of people 'who will one day become a pest of the human race.' [3]

'For, although, reckoning from the beginning,' says a Naumburg chronicle of 1547, 'the holy evangel has been preached here for nearly 28 years, and although the teaching at this time is, by God's special providence, without doubt more excellent than it ever was before, nevertheless it has brought forth no fruit, except as maybe God has specially ordained, that the people have become so accustomed to murdering, robbing, and immorality, and to committing all sorts of iniquity without being punished, that there is no more any hope of improvement, and the authorities have grown quite weary of trying to stem the terrible evils. And now Naumburg, in which more than 40 years ago there was a fearful upheaval and an appalling increase

[1] Burkhardt, *Sächs. Kirchen- und Schulvisitationen*, 136, 140, 149, 150–154, 191, 198–201. See Janssen, *Ein zweites Wort an meine Kritiker*, 84 ff.

[2] H. Hering, *Mitteilungen aus dem Protokoll der Kirchenvisitation im sächsischen Kurkreise vom Jahre* 1555. Wittenberg, 1889.

[3] Döllinger, ii. 640.

of murder, has again become a regular house of robbers and a veritable Sodom.' [1]

Of the moral conditions in the county of Mansfeld we have the following picture from the strict Lutheran theologian, Erasmus Sarcerius, in 1555: 'In nearly all places, wherever one goes, one finds little or no godfearingness among the people. They are very slow and reluctant to hear the Word of God, seem indeed almost to loathe it. Many people actually blaspheme God and His Word, the Sacraments and divine worship in the strongest manner, and say that, since the time when the evangel came into German lands there has been neither peace, good fortune, or safety there. And when it has come to this, that during the time of the sermon and the church service, card-playing, drinking, and selling goes on, and in the afternoon during service-time, preaching and catechisation dances are held, ninepins and bowls are played, and numbers of people congregate in the churchyards and indulge in tomfoolery, or sit outside taverns and gambling-houses, and so forth, there is indeed sufficient proof that a yearly church visitation is needed to put a stop to all the iniquity. Equally flagrant is the ignorance of numbers of people, young and old, as regards prayers and other points of the catechism, their frequent rebellion against learning, nay, more, their contempt and ridicule of it, whereby it comes about that things are actually taken for virtue and good works which are really heinous sins and offences. Very large, moreover, is the number of those who for many years, 40, 30, 20, 10, have never been to the Sacrament of the Altar; they have neither received the

[1] *Neue Mitteilungen aus dem Gebiete historisch-antiquarischer Forschungen*, xiii. 538–539.

Sacrament according to papal or to evangelical rites. And even if the people do go to church they chatter about all sorts of trivial things; they do not sing, they do not praise, honour, or pray to, God; yea, verily, some of them are not ashamed to sing German songs; they even indulge in frivolous improper love-songs.'

Terrible and abominable, too, is the contempt which almost all people, especially official people and lawyers, show for the priestly estate. For this reason our pastors and spiritual ministers get no protection and patronage from anyone; they are comfortless and forsaken and know not where to turn. It stands to reason that the office of priest suffers from this, and the study of theology is universally shunned. Who indeed would expose himself to such flagrant injustice and persecution? And it is the official people from whom this contemptuous treatment proceeds, who have the appointing and deposing of the clergy in their hands. Anyone who appeals to the territorial lord and the consistory may be sure not only of deposition but of ridicule also: 'I shall be Lord enough for you.' [1]

Sarcerius complains very specially of the desecration of Sunday, the highest festival. 'On no other day,' he says, 'is there so much impropriety, wantonness, scandal, vice, villany, godlessness, as on the day of the Lord. In the morning, especially in the towns, people sit in the public-houses drinking brandy. In the villages also many people begin early in the morning with wine and beer, sit outside the taverns and churches playing cards, dancing and leaping. Yea, verily, the

[1] *Zeitschr. des Harzvereins*, xx. 520 ff., and *Mansfelder Blätter*, 1898, xii. 54 ff. See also Döllinger, ii. 642.

higher the festival, the more reckless their behaviour. On Good Friday they bake buns; Easter is celebrated by inordinate eating and drinking, Whitsuntide by the so-called Whitsun ale. On the evening before Whitsunday they begin ringing the largest bells to summon people to the Whitsun drinking, as though the bells were made expressly for that purpose. After the bell-ringing the drinking begins immediately; men and women, young and old, maid-servants and men-servants, flock together and go on drinking till midnight, till everybody is thoroughly drunk. The result is that even on the feast day itself the churches are empty and there is no more question of celebrating the Sacrament. After divine service the drinking begins again and the pastors themselves join in it; but the *Landsknechts* and the law officials exact forced labour on these days.'[1]

Concerning the demoralisation in Hesse, Franz Lambert wrote to Bucer in 1530: 'I shudder at the ways and habits of this nation.' The chronicler Wigand Lauze, in 1539, bewailed the coarseness and savageness of the new religionists in Hesse; a memorandum of the Hessian theologians and preachers says outright that the times were like those of Sodom and Gomorrha. The officials threw the chief blame on the preachers.[2]

In 1542 the Landgrave Philip himself complained that according to reports received 'there were now a considerable number of preachers and pastors who conducted themselves ill, who led disreputable lives, who indulged in drinking, gambling, usury, and such-like, some of them even in worse vices, who smoked,

[1] *Zeitschr. des Harzvereins*, xx. 523–524.

[2] See present work, vol. vi. 89 f.

quarrelled and fought with the people in taverns, and also behaved improperly towards women.'[1]

In the dominion of the Margrave George of Brandenburg-Ansbach demoralisation had already reached such a pitch in 1530 that the territorial prince wanted to revive the Mass. Brenz declared this to be useless; such a disordered state of things could only be checked by the preaching of the Gospel and the determined action of a good police. How far this was the case is shown by the inspectoral document of 1548. In every house of the village of Weissenbronn, so these reports said, a public prostitute was living. In Ammendorf the peasants described their preacher as 'a villain, a thief, and a whoremonger.' At Erlbach, Wallmersbach, and Buchheim the preachers were killed by the peasants. Everywhere anarchy, crime, irreligiousness, and immorality.[2]

An equally bad state of things, according to the statements of zealous Lutherans, reigned in the 'mighty imperial city of Nuremberg famed as one of the finest pearls in the crown of the evangel.' That any good fruit had grown out of the preaching of the Gospel, Hans Sachs could not recognise. On the contrary, in 1524, he already complained of the 'immoral conduct of the Lutherans by which the evangelical teaching was brought into contempt.' 'Everything is now so perverted into carnal lust, that the last state of things is worse than the first. In vileness of habits we outdo the heathen, we boast of evangelical freedom and we turn it into unbounded liberty of the flesh. We pretend

[1] Heppe, *Kirchengesch.* i. 287. *Entsetzliche Nachrichten über die Pfarrer zu Zwesten seit dem Jahre* 1530, p. 336, note 4.

[2] See present work, vol. vi. 451, and Döllinger, ii. 646 ff.

to place all our hope in Christ, whom, however, we only make a cloak for our vices.'[1] The longer the preaching of the new doctrine still went on, however, things in the old imperial city became worse and worse.

In 1531 the Nuremberg preacher complained of the

[1] See present work, vol. iv. 62 f.; vol. v. 124. See also the opinion of Christopher Fürer on the growing godlessness and immorality which resulted from the new doctrine, *Denkwürdigkeiten der Charitas Pirkheimer*, xxxvii. See also *Mitteil. des Vereins für Nürnb. Gesch.* v. 227; xii. 129 ff. Dr. Th. Hampe remarks here concerning the deterioration that went on in the carnival merry-makings: 'The carnival play, or rather the obscenity connected with it, which however was its essence, had indeed been put under the ban, but the merry-makings, which were a special feature of the carnival play, soon assumed really threatening forms, and people of insight could not long remain unaware of the fact that here one devil had been driven out by another, Beelzebub the worst of the devils. The ridiculing of the Pope in the carnival proceedings of 1522 might be attributed to worthy motives, such as lay at the basis of the reform movement, to a moral upheaval, to religious excitement, even though the council does not appear to have been of this opinion, as it promptly forbade the play and addressed a rebuke to the church official who, without permission, had lent a cope for the performance. The resistance to Church restraint, and the letting loose of popular passions which accompanies the first steps of the German Reformation, which fills the first years after Luther's posting-up of the theses, and which, far more revolutionary than religious in its character, found crass expression at Nuremberg also in priest-baiting and lawlessness of all sorts, might, indeed must, be regarded as a necessary and temporary manifestation of a convulsive transformation, of a mighty stride in spiritual progress, long indeed in maturing but swift and abrupt in its final apparition. It was somewhat different, however, with the immoderate drinking for which the sixteenth century has become especially notorious, and the passion for gambling, for dice, card and hazard playing which, to judge from the countless interdicts and inspectoral investigations of which the official protocols give evidence, had reached appalling dimensions in the first half of the sixteenth century, and had drawn high and low equally into its vortex. In the drinking-rooms, bursas, and public-houses, where formerly fooling carnival mummers had roused attention by their crude acting and the genuine wit which shone out in their certainly not over-choice language, there was now heard little else than the clanking of beakers, the noise of dice and cards, the rattle of money, and the oaths of the gamblers. All enactments issued against these practices appear to have had little immediate result.'

disorder which prevailed at the Lord's Supper. 'We know from our own experience that all sorts of fools, light-minded people, children, &c., come without distinction to this most venerable Sacrament. It has also come to our knowledge that rascals, in the middle of playing marbles, have jumped up from their game, saying: "Come, let 's go and have a drink," &c., &c.'[1] That these complaints were not exaggerated, a glance at the criminal cases in Nuremberg shows. 'Lamentable is the number of wife and husband murders, wives especially, recorded here of the sixteenth and seventeenth centuries. The cause lay chiefly in the unhappy, unsound marriage relations.' Usually the unfaithful wife poisoned the husband who had become *de trop*. The regular punishment for this crime was, after 1515, drowning, after 1580 beheading, while the male aiders and abetters were tortured on the wheel. For the increase of adultery in Nuremberg we have terrible evidence. The members of the council, strict as they otherwise were, showed 'rare toleration' for this offence, 'conscious of the beam in their own eyes.' With remarkable frequency there occurs among the criminal cases 'improper behaviour to children,' chiefly by elderly people and schoolmasters; incest is 'a crime very often committed,' and it was always punished with death, as a rule death by the sword; 'in 1571 an exceptional case occurs of a pastor's wife being drowned.'[2]

In the Austrian hereditary lands, also, the people, 'since the heretical sects and doctrines had taken deeper root, behaved from year to year more savagely, ungovernably, and bestially.' The religious and moral

[1] Strobel, *Neue Beiträge*, ii. 385.

[2] Knapp, *Das alte Nürnberger Kriminalrecht*, 182, 223 ff., 226, 231 ff.

anarchy increased more and more; the more the new doctrines gained ground, the less the Catholic clergy fulfilled their duty.[1]

The same conditions prevailed in Würtemberg after the forcible introduction of the new doctrine. Here, too, as Myconius showed in 1539, the depravity of the people was caused by the evil living of numbers of the preachers and their wives. Drunkenness and immorality, Myconius complained, went beyond all bounds. 'The lords and the rulers,' wrote the preacher Conrad Sam two years after the introduction of the new doctrine in Ulm, 'care only as a rule for splendour and voluptuousness.' They have made a covenant with hell and death, and they say: 'We will eat and drink and do whatever we please, day and night; perhaps we shall die to-morrow, and none of the things which the parson talks about will come upon us.'[2]

The reports of the church inspections which, since 1535, had been drawn up in the dominion of the imperial city of Ulm, give a vivid insight into the very unworthy mode of life of the evangelical clergy, the official people, bailiffs and judges, and the appalling demoralisation of the inhabitants of the town, old and young alike.

In the protocols of the inspections held in 1535, 1537, and 1543, there are complaints from a great number of parishes that the preachers only seldom celebrate the Lord's Supper and do not baptise the children; that they do nothing but revile from the pulpit, that they give no alms, and do not like visiting the sick; above all, a large number of them come under the charge of drunkenness. Against a goodly number of parishes there stands written in the protocol: 'Preacher fond of

[1] See present work, vol. vii. 151.

[2] *Ibid.* vol. v. 339.

wine,' 'Preacher at Ollingen drinks,' 'Preacher fond of being in the public-house,' 'Preacher a great toper,' 'Parson likes to carouse with boon-companions in the alehouse.'

'The attorney Marx Mayer of Reuthin says: he has never been more misled by anyone than by the present-day preachers; they teach sobriety and are themselves the most drunken lot.' (Reuthin.)

'Michael Sigler is said to have stated openly in a public-house at Gauspach, in the presence of a number of people, that he was the first among all the Merklingers to become Lutheran, but as much as he was formerly for Lutheranism, was he now against it, for the pastors had never been good, and the preachers were worse.' (Merklingen.)

With the religious convictions of the preachers, also, things appear to have been not always satisfactory; of the preacher at Weidenstetten the report says: 'Preacher has not administered the children's baptism for a year; he says it doesn't matter if a child dies without baptism'; and of Gingen: 'Preacher has preached that no man will go to hell on account of sin.'

The preachers on their side complained of the lukewarmness of the parishioners and of their poor attendance at church. For instance: 'Preacher once only held a communion service, at which but two people were present.' (Stetten.)

The preacher John Liebmann in Pful says (at the inspection in 1543): 'he seldom celebrated the Lord's Supper because there was no love amongst them.'

Of Türkheim it says: 'The preacher only once held a communion service, and on that occasion only one man and six women attended.'

From this it would appear to be a just conclusion that a large portion of the inhabitants did not adopt the new teaching from inward conviction, but more from external reasons, not to say from compulsion; many, too, may have remained faithful to the old religion (the Catholic), as indeed appears from complaints made in sundry places; for instance, in Geislingen: 'some of them go to Our Lady at Lautrach,' 'about fifty people still go to Mass at Eybach.'

Of Albeck we read: 'A peasant of Hervelfingen, Peter Frank, thinks that without coercion the people will never be got to go to church, however good and learned the preachers may be.'

Above all, however, the sick people were dissatisfied with the new religion. Of Altenstadt it says (inspection of 1543): 'The "Sondersiechen," that is the infectious patients kept apart from the others, will not accept the Evangel, they would rather have the papacy back.'

Many preachers complained that the officials did not punish vice. The magistrate of Merklingen gave his preacher the following drastic answer: 'Go and see how they house at Ulm; there those commit the worst sins who ought to punish them.' (Merklingen, 1535.)

The schoolmasters did not enjoy the best of reputations; for instance:

Bernstadt (1543): 'the schoolmaster swears and drinks.'

Nellingen (1535): 'the schoolmaster is fond of wine; once could not sing the Psalms on account of wine.'

Holzheim (1535): 'the sacristan at Holzen sells brandy before and during the sermon.'

There is a hopeless tone in the reports concerning the inhabitants themselves (the populace). In a few parishes only were things even half satisfactory; by far the most were given up to drunkenness, immorality, and above all blasphemy. Let me quote a few instances:

1535. Altenstadt: Blasphemy is common there: they buy and drink wine on Sunday during the preaching.

Böhringen: Blasphemy and drunkenness occur much and frequently.

Gingen: The vice of drunkenness very prevalent, and at Orgensteig there is a public-house of ill-fame.

Nellingen: No lack of vices among the common people.

Weidenstetten: Drunkenness and swearing in full swing in the parish.

Bermaringen: Vice and crime very plentiful.

Holzen: Drunkenness and swearing go on unchecked.

1543. Nellingen: In the spinning-rooms there is a great deal of immorality.

Radelstetten: They curse and swear a great deal. With the judges and with the parishioners blasphemy and drinking are terribly in vogue.

Langenau: Drinking increases continually.

Lonsee: Swearing, drinking, and blaspheming in full swing.

Kuchen: Drinking and cursing are common.

Holzen: A disgraceful amount of swearing, drinking, and other iniquity in the parish.

The young people also were no better than the old ones, it says among other things.

1535. Stetten: All complain of the ungovernableness of the young.

Holzschwang: The young swear so terribly that it is a scandal: they drink immoderately.

1543. Albeck: The young are thoroughly unruly and insolent, they swear and blaspheme against God.

Schalkstetten: The young are thoroughly wanton. Swearing is in full swing.

Bermaringen: A bad state of things in the parish, especially among the young, who think nothing of swearing and drinking.

Ersingen: The young are quite ungovernable.

The supreme ecclesiastical bench at Ulm, in view of this melancholy result of the inspection, saw itself compelled to enact, amongst other things in the 'general articles of the inspection of 1535,' that the officials were not to be remiss and negligent in the punishment of sin, for it was the common outcry that the ordinances were little or not at all regarded, and in a more detailed code of instructions of 1537 it was said: 'The guardians of the lordship shall earnestly enjoin the officials to be more diligent in seeing that all such vices as gambling, drinking, and blasphemy, which prevail almost everywhere, shall be put a stop to.' The same bench also decreed that: 'The officials and the judges are enjoined to keep diligent watch that no one shall go outside the territory to attend masses and papal ceremonies, on pain of a fine of one gulden.'

These official inspectoral protocols, as every unprejudiced reader must acknowledge, are a very bad testimony to the effects of the new doctrines both for the individual and for the nation. Their evidence, however, appears then only in its true light when it is considered that only a few years had passed since the carrying

through of the Reformation, and that the enthusiasm for the new religion ought at any rate to have lasted this short time.[1]

At Augsburg, as early as 1537, the council was compelled to issue a stringent penal and police ordinance against the prevalent vices, such as blasphemy, swearing, perjury, drunkenness, adultery, violence, bloodshed, and bankruptcy. In Zurich also 'they soon tasted such bitter fruits of the Gospel, that it was enough to disgust them with it.' The penal mandates of the years 1527 to 1531 point to an increasing amount of immorality and disorder. The worst part of it, wrote H. Wolff to Zwingli in 1529, was that the young were brought up so disgracefully: 'Summarium, vices of all sorts are at a premium.'[2]

In Strasburg also, the council, in 1529, was obliged to acknowledge that, in spite of all the penal mandates, sin and wickedness went on increasing.[3] Three years later the Strasburg preachers in a memorandum to the magistrate said that 'the terrible decay of godly teaching and of all respectability, with the accompanying influx of so many strange conceits and heresies, were worse in Strasburg than in any other place in the empire.' 'People were saying openly in public and in private, amongst other unheard-of blasphemy, that there was neither a hell nor a devil. What would have been thought of such a statement in former times? That 's how we improve with our crack-brained freedom.'[4]

[1] The above is an extract from an article in the *Deutsche Volksblatt*, Beil. 1898, No. 12.

[2] See our statements, vol. v. 339, 362, 426, 505.

[3] Röhrich, *Mitteilungen aus der Geschichte der evangelischen Kirche des Elsasses* (Strasburg, 1855), i. 265.

[4] *Zeitschr. für histor. Theologie* (Gotha, 1860), p. 60 ff.

A few years earlier even, Bucer, the actual founder of the innovations, had pointed out the 'growing corruption' among the adherents of the 'Evangel.'[1] At this same time the Strasburg town-notary, Peter Butz, said, at an open sitting of the council: 'It is now a good long while since the Word of God has been preached in plainness and purity in this town and listened to by the people, but, God have pity on us, few Christian fruits have followed; while adultery, whoredom, blasphemy, usury, and other sins forbidden by God have been practised publicly and shamelessly and, alas, without being punished.'[2]

Statements of this sort were by no means confined to the towns. 'It is the unanimous complaint of all the country pastors,' says the Strasburg Church ordinances of 1534, 'that in all villages there is great remissness in hearing God's Word; there are also people who make a practice of standing under the church porch while the sermon is being preached and making an unseemly noise so that preacher and hearers are annoyed; in some places the justices hold their court at the sermon time.'[3]

Similar contempt for the new preaching is witnessed to by the inspectors of the Palatinate in 1556. The great bulk of the people 'are given up to a godless, epicurean mode of life,' 'the people live from day to day in an uncivilised manner like unreasoning cattle, and pay little heed to the ministers of the Church.' 'Among the majority of the pastors' there was found to

[1] See present work, vol. v. 145, and Döllinger, ii. 654.

[2] A. Baum, *Magistrat und Reformation in Strassburg bis* 1529 (Strasburg, 1887), p. 187.

[3] Fuller details in the present work, vol. vi. 524 ff. and vol. vii. 63. Döllinger, ii. 654 ff.

be 'marked negligence, so much so that up till then very few of them had given instruction in the catechism or taught the children.' 'Numbers of pastors lead immoral lives, which gives rise to much abusive talk among the papists.' [1]

The same charges were made by the preacher Schwebel against the Count Palatine Ruprecht of Zweibrücken. 'Great ingratitude and indifference towards the pure teaching of the Evangel prevail among the common people.' 'Of this we all of us complain,' wrote, some time later, the court preacher Glaser, 'that only very few people follow the evangel, that a large number of people despise it, and that some even persecute it.' 'Very many in our land,' said Nicholas Thomas, pastor in Bergzabern, 'would be glad if the truth and all its ministers and priests were sent to Jericho.' In consequence of these complaints the Count Palatine Ruprecht endeavoured to coerce his subjects into listening to the new-religionist preachers, although Chancellor Schorr earnestly warned him against such a course which would only have the effect of breeding hypocrites. This fear was confirmed a few years later by the preacher Thomae in his complaints of 'the hypocrisy and sham Christianity of so many people.' The moral conditions corresponded to this state of indifference. 'Your Princely Grace is well aware,' wrote Schwebel to Duke Ruprecht, 'how many people are grieved and astonished at all the shameless wickedness that goes on, by reason of which so many terrible plagues have happened in our times; as there are numbers of people who boast of the Word of God, others make the Word

[1] Fuller details in the present work, vol. vi. p. 523 f.; vol. vii. 63 ff.

of God, the new doctrine as they call it, responsible for all the mischief.'

In a hopeless strain he proceeds: 'Whereas, albeit that God has so richly made known His Word in these our days, we are nevertheless growing worse and worse, it is to be feared that God will utterly destroy us in the Day of Judgment which, by all the tokens, is now not far off.' In like fashion does Schwebel's fellow-pastor Thomae lament in a letter to a friend in 1542: 'Nowhere, terrible to relate, are any true fruits of earnest repentance and of the evangel visible. I have often thought with great seriousness of migrating elsewhere with my belongings, so that we may not have to encounter the same fate that in past years befell the populations of the neighbouring German lands.' 'Everything seems to be tottering and hastening to ruin. We ought to seek refuge in prayer, the sure remedy for all ills; but the people, everywhere incensed by the loss of money and soldiery incurred through the faithlessness of many of the princes, will not pray.' 'The clergy also,' Thomae says in this same letter, 'are not free from blemish, and here and there we find some who are stained with immorality, avarice, adultery, and drunkenness, and who are yet considered as holy, as once under the papacy.' Schwebel himself gave Thomae cause for bitter complaints because 'through his insatiable greed he had brought discredit on the evangel.' [1]

The same manifestations were apparent in the North German towns where the new doctrine had been introduced amid plunder, robbery, and coercion. Restless demagogues, butchers, tailors, renegade monks,

[1] See *Histor.-polit. Bl.* cvii. 889 ff., 892 ff., 898–899.

bookbinders were the first promoters: they became pastors and superintendents. It was just the same in Hildesheim, and just the same also in the old Hansa town of Soest.[1]

Under such shepherds the people were bound to become demoralised. To what degree this was the case in the Brunswick district is shown by a report of 1545. 'The churches are empty, but the public-houses are full, the lower classes imitate the upper classes, and there is no end to drinking and all sorts of depravity.'[2]

An inspection which took place in Mecklenburg in 1535 revealed a very melancholy state of things. 'The poor folk in the villages,' it says of one parish, 'are obliged to live without any instruction and without the Word of God, just like cattle.'[3] Moreover, there were still at that time a good many pastors in Mecklenburg who were papally inclined. With time the number of these increased, but no improvement of conditions showed itself; on the contrary, here, too, increasing deterioration is noticeable. In 1542 complaints occur concerning the ingratitude of the people who have been delivered 'from the papacy and its devilish bondage' but who behave in such a manner 'that God will surely send the King of Babylon from heaven.'[4] All later church ordinances and inspectoral reports speak of the increase of sin and vice of all sorts. Thomas Aderpul, in 1548, found at Malchin 'no fruits of the gospel, but only contempt of God, of His Holy Word and of the

[1] See the introduction of Jostes to *Daniel von Soest*, Paderborn, 1888.

[2] See present work, vol. vi. 216.

[3] Lisch, *Jahrbücher*, viii. 37 ff., 46.

[4] Schröder, *Mecklenburg. Kirchenhistorie*, i. 464; cf. ii. 316, 544.

Holy Sacraments; while everybody plunged deeper and deeper into the sins of avarice, swearing, drunkenness, &c.'[1]

A classic witness to the anarchy and demoralisation of the people in Pomerania since the introduction of the new religion is the prince's private secretary, Thomas Kantzow, who was himself a Lutheran and a loyal adherent of the evangel. The difference between the Catholic faith and life of the olden times and the conditions which had obtained since the religious revolution was so striking that Kantzow could not conceal his astonishment at the 'immense change in all things.' In the people of papal persuasion he found reverence, benevolence, self-restraint and great respect for the priests. Nowadays one saw everywhere nothing but indifference, plunder of churches, gluttony, insolence and ignorance, and great contempt for preachers and church ministers.[2]

The little land of Dithmarsch also, which before the Church revolution was distinguished by religious zeal and strict discipline, fell into serious moral anarchy after the introduction of the new doctrines. 'Whoremongery and intolerable heathen, Jewish, yea, even Turkish usury,' said the preacher Nicholas Boje in 1541, 'are so gaining the upper hand that neither preaching, teaching, exhorting, threatening and terrorising with God's wrath and stern righteous judgment are of any avail. We know, alas, from our own daily experience as well as from trustworthy reports how the

[1] Lisch, *Jahrbücher*, xvi. 124. See also present work, vol. v. p. 104, and vol. vi. p. 524.

[2] See present work, vol. vi. 521.

heinous sin of adultery is being openly and shamelessly practised.' The sternest mandates against adultery, profligacy, magicians and sabbath-breakers were all 'addressed to the wind'; it seemed as though 'the criminals were of opinion that there was neither a God nor a devil.'[1]

The waves of the politico-religious revolution broke over all districts of Germany, and in those territories also which had remained Catholic very soon worked the most dire effects among clergy and people. Against their will the Catholic populations were drawn into the general political strife; they could not withdraw themselves from the influences that were penetrating everywhere, and the constant necessity for defensive action in the religious and political domain allowed no chance to the constructive, preservative forces. Many of the Catholics had not the moral courage to oppose a manly resistance to the invading evil; on a far greater number the example of the apostates exercised an ensnaring influence. Thus the corruption which had been abundantly rife before the outbreak of the revolution was immeasurably increased.

How perniciously the doctrines and morals of the Protestants worked on those who still remained in connection with the old Church, is proved by plentiful evidence from well-informed contemporaries. Already in 1525 the Mayence Canon, Karl von Bodmann, had animadverted on the 'almost incredible increase of profligacy among the German clergy since the proclamation of the new so-called evangel.' Even before the

[1] Neocorus, ii. 140. See Döllinger, ii. 450, where the Protestant evidence concerning the conditions of the Catholic past are given.

rise of the new sects things had been bad enough among both the secular and the monastic clergy: now, however, they were incomparably worse, not only among the clergy but in all estates. And no wonder, for with the Church and her teaching all religion was attacked among the people. 'How is it possible to improve either the upper or the lower classes when the restraints on their passions are wholly removed, when all religious discipline is destroyed, the Church penal laws despised and ridiculed, fasting and confession declared not only useless but even pernicious? Will the greed for gold and possessions be stilled by holding out the wealthy Church goods to the mighty ones as easily obtainable decoy-ducks? Will the sanctity of family-life be assured and protected by proclaiming principles concerning marriage at which every earnest Christian must blush?'[1] George Wizel speaks even more strongly concerning the 'misleading of papists' by the 'fleshly doctrines' of the new religionists. 'Only too quickly,' he wrote in 1538, in his 'Aufdeckung des Luthertums,' 'did most of them imbibe the poisonous teaching that works are nothing, that sin will not be imputed to the faithful, that Christ wishes people to lead reasonable, burgher lives—that is to say, worldly lives. That which pleases and tickles the earthly man spreads swiftly through the whole land.'[2]

That Catholic Germany 'so quickly sucked in this poison,' was not only owing to the adaptability of the new doctrines to human passions, but above all to the behaviour and conduct of those whose sacred duty it

[1] See present work, vol. iii. 203 ff., and iv. 47.

[2] Döllinger, *Reformation*, i. 63. See also *Zeitschr. für kathol. Theologie*, xiv. 118.

was to set themselves against the prevalent corruption. With but few favourable exceptions the German episcopacy, at this period, played a very sorry part. The words of the Papal Legate Aleander in his report to Rome in 1521, 'The bishops tremble and let themselves be devoured like rabbits,' held good still for the whole first half of the sixteenth century. Not till the spirit of the Catholic restoration penetrated into Germany also, did a change for the better occur in these conditions. Of what sort the conditions were which had prevailed beforehand, is shown, for instance, by the appalling fact that in 1524, in the midst of a period of the greatest distress, on the occasion of an archery tournament, 'several bishops, to the horror of the populace, danced and jubilated in public.' 'They were most of them,' the writer of the report adds, 'lords of high birth.' In these words we have the index to the actual cause of the downfall of the German episcopate; it had become a complete monopoly of the nobles and princes. These great lords, as the good Catholic, Karl von Bodmann, says, 'were less intent on pasturing their flocks than on depasturing them.' 'It is well known,' wrote the noble Duke George of Saxony, 'that the origin of all this heresy with which God is visiting us, lies in the way in which the prelates enter the Church; for God says: "He that entereth not in at the door is not the shepherd." Now it is, alas, not the least scandal of Christendom, that we laymen both of high and low degree do not give heed to those words. For when we appoint our own children, brothers, and friends to bishoprics and other Church dignities we are not concerned about the "door," but only about how we can manage to push in our own people, whether

under the threshold, or down through the roof, we do not care.'[1]

The Dominican, William Hammer, pointed out that in other countries, in Italy, England, France, the worthiest men, those who were distinguished for piety and learning, were appointed bishops and canons, while no regard was had to nobility of birth. 'In Germany, on the contrary, the higher Church dignities are booty for the nobles. All posts are filled with the nobility. Nobody can become a bishop or a canon who has not a certain number of ancestors to boast of. But whether any of them have the necessary learning and whether they lead good lives, is never asked.'[2] The Augustinian monk, John Hoffmeister, said: 'There are, alas, numbers of such shepherds of souls who either act very little, or not at all, up to their calling. The Church of God has now for a long time been very badly officered and tended, let people blame whom they will. I say it is the fault of our scandalous sins, and that we do not deserve better shepherds. But nevertheless woe, ever woe, unto all those who burden God's parishes with such useless and mischievous pastors. Had the churches been provided with learned and pious pastors, we should not see such desolation in them as we now see.'[3]

John Eck, a witness undoubtedly above all suspicion, says of the secularisation of the bishops in Germany: 'In their dioceses they have a coadjutor for episcopal functions; for other matters spiritual they employ a

[1] See our statements, vol. iv. 52, 53, 54.

[2] *Histor.-polit. Bl.* cviii. 437. See also the exactly similar complaints of Gerhard Lorichius in the *Katholik*, 1894, i. 514.

[3] *Predig. über die suntäglichen Evangelien*, 85[b], 86[b]. See *Histor.-polit. Bl.* cvii. 893–894.

vicar; justice is administered by an "official"; if a sermon is to be preached they fish you up a monk; if a distressed sinner is to be absolved, the penitentiary is at hand. But when money, rents, interest are in question, then you must address yourself to the gracious lord bishop.'[1]

In another work Eck writes as follows: 'The prelates, bishops, abbots, provosts, pastors who neglect the choir office and divine service, who are solely concerned about temporal revenues and dues, who rear splendid buildings, but do not adorn the churches and altars, who do not care about religion and the worship of God, may it not be said of them: "Is it time for you, O ye, to dwell in your ceiled houses, and this house lie waste?" (Haggai i. 4). These are "blind watchmen and overseers," says Isaiah (lvi. 10). To these belong also the clergy who neglect their breviaries and prefer books and study to prayer. Let them remember and fear the curse with which they are threatened: "Cursed is he who is negligent in the work of God." These are sons of Naaman who preferred the rivers and waters of Damascus to the river of Jordan, and would not wash in the latter at Elijah's command. These also often prefer the dictates of their own caprice in the choice of books and read profane books rather than the Canonical Hours, which are prescribed by the Church at the inspiration of the Holy Ghost. Woe be unto these! To this class also belong the traffickers in Church offices, those plundering courtiers and sycophants from whose ravages no land is any longer safe. These do not trouble themselves as to who has the right of patronage over the Church, how many souls are committed to their

[1] *Christliche Predigten*, Part III., 1553, Bl. xxxii[a].

care, whether the appointed anniversaries, and whatever else has been instituted to the Glory of God, are properly ordered and kept up. They are hirelings whose eyes are fixed only on the profits gained from pensions, and from benefices in which they are not obliged to reside. Or maybe they are even worse: devouring wolves who neglect and destroy the flock, who, according to the words of the Apostle, seek their own profit and treat religion as a worldly business. These are they who "dwell in ceiled houses and let God's house lie waste." For they do not hold disputations concerning the faith; they do not write books to instruct others; seldom or never do they read the prayers of their breviaries. Know you what sort of shepherds of souls these are? Even such as Zachariah has described: "Take unto thee yet the instruments of a foolish shepherd. For lo! I will raise up a shepherd in the land which shall not visit those that be cut off, neither shall seek the young one, nor heed that that is broken, nor feed that that standeth still, but he shall eat the flesh of the fat, and tear their claws in pieces. Woe to the idol shepherd that leaveth the flock" (Zachariah xi. 15–17). Of such idol shepherds Germany is now full.'[1]

Bishop Gabriel of Eichstätt acknowledged, in 1530, that Lutheranism was a scourge from God, sent 'because we bishops are doing nothing. I talked the matter over at Augsburg with this and that bishop, but it was of no use, they will not take it to heart.'

[1] Eck, *Comment. super Aggaeo* D.v[b]. See Wiedemann, 382. See also the memorandum of Eck, of 1523, in the *Histor. Jahrbuch*, v. 372 ff., and the complaints of Usingen in Paulus, *Usingen*, 79 ff.

To what pass things had come is seen from a Protestant report of the same year, in which the Primate of the German Church, Cardinal Archbishop Albert of Mayence, and the Archbishop Hermann of Wied were described as 'half evangelical.' The Mayence archbishop remained indeed nominally on the side of the old Church, but he served her neither by boldness of faith, nor by priestly conduct and chastity, nor by care in providing truly spiritual shepherds for the ministry. 'The prince-bishop Eric of Paderhorn and Osnabrück did not blush to act as witness at the marriage of a Count of Tecklenburg with a nun. The Münster Bishop, Frederick von Wied, never received episcopal consecration; Ernest of Bavaria, Bishop of Passau and Archbishop of Salzburg, also thought it unnecessary to receive the higher consecration, and was secretly married to a young lady of the lower German nobility; Franz von Waldeck, Bishop of Münster, Minden and Osnabrück, was openly and unshamably addicted to drinking and immorality.' [1]

'The tone of the German bishops,' says a dispatch of the Papal Nuncio Morone of 1540, 'is truly, as His Majesty says, feminine in things in which it ought to be manly, such as withstanding the opponents of our faith, and masculine in matters in which it had better be feminine, such as drinking and concubinage.' Out of all the bishops the papal diplomat could only praise the Bishop of Vienna and the Bishop-designate of Trent. 'All the rest show no manner of respect for the Apostolic Chair. From all quarters I hear

[1] See present work, vol. v. 307 ff., 453, and vol. vi. 68 f. Concerning Ernest of Bavaria see *Histor. Jahrbuch*, 1894, xv. 583.

that they have only their own interests in view. It might, indeed, be that the blame of this negligence lay with me and my unworthiness; but I think I am not mistaken in assuming for certain that it arises from the lack of inclination on the bishops' part and from a desire born of ignorance to free themselves from the yoke of obedience.' Morone feared the worst, viz. the secession of all German lands from the Catholic Church.[1] The papal legate, Cardinal Gasparo Contarini, also, in the following year, spoke very earnestly on the necessity of a Church reform in Germany.[2] The worst was that numbers of German bishops at that time considered all means of salvation as inefficacious. Morone, and rightly so, was of a different opinion. He had most zealously insisted that the reform of morals and the removal of abuses should be unsparingly undertaken by the Council, in order that 'Judgment shall begin with the House of the Lord,' and he had personally obtained from the Pope the commissions relating to the business. Armed with these, he went to Dillingen, where, at the time, Bishop Christopher of Stadion resided with his chapter.

Morone's report on his transactions at Dillingen give a clear insight into the excessively serious evils in the German Church system. 'Meanwhile,' he wrote, 'I have negotiated with the bishop concerning the reform and the Council, and it was necessary to warn the chapter, both individually and collectively, most urgently against the concubines, the banquetings and the drunkenness, the gambling and hunting, which

[1] Laemmer, *Mon. Vat.*, 275 sq., 277 sq., 285.

[2] See Pastor, *Korrespondenz des Kardinals Contarini* (Münster, 1880), pp. 38–39.

many of them indulged in so heavily, and the ignorance and lack of spiritual culture which so often characterised them. They showed themselves well-disposed to attend to the admonitions and to study to amend their lives. The bishop is a man of sixty-four, of good capacities, much experience, and the most learned among the prince-bishops of Germany. His Grace exonerated himself from the suspicion entertained of him by some people, and perhaps also at Rome, of being a Lutheran; that, he said, he was not, although he had been of opinion that for the sake of the peace of the Fatherland and in order to avert worse evils, they ought to have made some concessions to the Lutherans; for instance, communion in both kinds, without which the people could not be kept up to attending the service of God. At my suggestion he thanked His Holiness for the fatherly admonitions, which he should endeavour as far as possible to carry out, although he foresaw serious difficulties in the remedying of such great errors as those which had crept in among the clergy in consequence of the general indifference. If His Holiness, or His Holiness's predecessors of twenty years, had addressed themselves to the task, it would have been of far more use, whereas now, in his estimation, all would be in vain, because the bishops, even with the best intentions, could not carry anything out. And here he counted up numerous hindrances such as the exemptions of the chapters, the unbridled ways of the German nobility, the support which the bad conduct of the clergy and their carnal transgressions derived from the Lutheran licence, the tyranny of the secular princes, the dearth of Catholic preachers. He further

said that he could no longer hope, even from a council, for salvation from such great disorders, unless Germany first of all banded together and renounced its chief offences; and here he attacked now the Bavarians, now the Emperor and other princes. To these utterances of His Grace, however much they are based on truth, I have at various times taken exception, urging him not to lose heart, and not to behave like those embittered and dilatory people who, while bewailing the past and conjuring up the future, neglect all care for the present, and sit with their hands folded in their laps while the evil goes on increasing. His Grace, I told him, must not imitate such persons, but must use his gifts and his learning in the service of God, and if for the reasons enumerated he cannot reckon on his whole jurisdiction, he must at least endeavour to purify those few souls over which he has any power; for he that is faithful over a few things will be made ruler over many.'[1] When Morone brought the question of reform before Cardinal Albert of Mayence, whose favourable attitude towards the Holy See he greatly praised, he was again compelled to listen to exactly the same complaints as he had already met with at Dillingen. Albert told him (Morone) plainly that he knew at the outset that all his priests were concubinists and that he had no need to inform himself in that respect; it was also equally certain that these priests, at the first hint that their concubines were going to be taken from them, would either become Lutherans or insist on having wives. At the same

[1] Letter from Spires of February 8, 1542, in Laemmer, *Mon. Vat.*, 402–403.

time the cardinal pointed out a hindrance to reform which was special to Germany, namely, that he, like all other bishops in Germany, had been obliged at his election to take several very heavy oaths; these must in any case be abolished by authority of the Holy See, for otherwise he would have no right to punish even if anyone should commit murder in his presence.[1]

How the action of even the best of the chief shepherds was hampered by the exemptions, especially of the Mendicant Friars, is shown by a report of the zealous Vienna Bishop Faber to King Ferdinand. 'The chiefs of the Mendicant Order,' it says here, 'care nothing for a bishop; they band together and write and threaten me with a complaint at Rome. Those of Vienna grant certain stipends; the priest gets from them only six or ten gulden a year, and whether or no this priest lives on me and is my beneficiary, is all the same; if he dies, he is under the execution of the authorities in Vienna, and I am a nonentity. The cathedral chapter, the canons, ought to be subject to the bishop in spiritual and temporal things, but they are determined to be exempt and free, and the bishop is a figure of nought to them. If only a cleric is inscribed at the university, whether or no he has delivered or heard a single lecture in his life, still he is exempt and belongs to the university. If I want to punish such an one on account of excesses, the university comes to his help: like her he is exempt. If such an one is in a parsonage or a chaplaincy, even if ten miles distant from Vienna, still he is exempt like the university.

[1] Laemmer, *Mon. Vat.*, 412-413.

If a bishop of Vienna does not wish to be a nonentity, he must either quarrel and fight with the beggar-monks, with the Viennese authorities, the university and the cathedral chapter, or let the evil go on. I have no power whatever; I can abolish nothing; religion does not grow better, but worse; for much negligence prevails, and everywhere a great deal goes on which I am helpless to stop.' [1]

A special cause of the demoralisation of the people in the Catholic parts of Germany is to be found in the extraordinary dearth of priests which prevailed after the politico-religious revolution.

In the old times of Catholic faith and life every family had counted it the highest honour to be able to contribute a minister to the altar. Great in the extreme, perhaps even too great, was the number of those who dedicated themselves to the clerical vocation. Thus, in the middle of the fifteenth century, Felix Hemmerlin complains of the ill-considered bestowal of ordination: in Constance, he says, 200 priests are ordained every year. 'What will this lead to?' he asks. Now the opposite was the case. The Catholic clergy, whom the innovators denounced as the source of all evil, were threatening to die out. Bishop George of Brixen said in 1529 that for four years not more than two priests had been ordained in his whole diocese. 'From want of good priests,' wrote Bishop Faber of Vienna a few years later, 'everything is going to ruin.' The very same complaint was made by Bishop Gabriel of Eichstätt.[2] The evidence of the Bavarian councillor Albert von Widmanstadt shows that in bishoprics

[1] Wiedemann, *Reformation und Gegenreformation*, ii. 2-3.

[2] See present work, vol. vii. pp. 153 f., 169 f., 247, 252.

where formerly fifty to sixty priests had been consecrated, towards the end of the forties of the sixteenth century, there were scarcely three or four, and these extremely ignorant men.[1] A report of the Papal Nuncio Pietro Paolo Vergerio from Prague, December 28, 1533, gives truly appalling data concerning the neglect of the poor people owing to dearth of priests. 'Hear how it fares with the Church of Christ in this land. In the whole large kingdom of Bohemia, only six priests have been ordained, and they are quite poor men, to whom, on account of their needy condition, I have granted, gratis, the dispensation to obtain ordination from any bishop. The Bishop of Passau told me that in his whole diocese, within four years, only five priests had received ordination. The Bishop of Laibach said that in his diocese only seventeen priests had received Holy Orders in eight years. The reports concerning parsonages left empty owing to dearth of priests sound quite incredible. This, however, is not only the case in schismatic Bohemia, but in the whole of Austria, in the whole of Germany.'[2]

A few years later Morone reported from Vienna to Aleander that in the Catholic districts also incredible religious disorder prevailed. After what he had seen in the Tyrol, in Bavaria, and in some parts of Austria, he could speak as an eye-witness. Parsonages were to a great extent wholly deserted, so that the people, even if they were still well-minded, were obliged to go

[1] Paulus, *Hoffmeister*, 247.

[2] *Nuntiaturberichte*, i. 1, 152. Very interesting statistics for the diocese of Würzburg are given by C. Braun in the first part of his *Geschichte der Heranbildung des Klerus in der Diözese Würzburg seit ihrer Gründung*

without the Sacraments, for which the excuse was made that 'they were waiting for the decision of the Council.'[1] But even some time after the beginning of the Council no improvement showed itself. In 1548 we find dire complaints from many parts of Germany of the extreme dearth of priests.[2] 'The clergy,' wrote at that time the Benedictine abbot, Nicholas Buchner, 'through

bis zur Gegenwart (Würzburg, 1889). This table shows the numbers of ordinations in the years from 1520–1545:

In the years	Secular clergy	Regular clergy	Total
1520	55	46	101
1521	74	41	115
1522	39	38	77
1523	31	21	52
1524	23	12	35
1525	7	1	8
1526	11	14	25
1527	6	4	10
1528	3	7	10
1529	5	4	9
1530	2	3	5
1531	4	23	27
1532	2	4	6
1533	12	5	17
1534	5	3	8
1535	3	3	6
1536	9	18	27
1537	0	6	6
1538	2	15	17
1539	19	12	31
1540	7	12	19
1541	22	32	54
1542	7	23	30
1543	6	27	33
1544	14	14	28
1545	7	15	22

[1] *Nuntiaturberichte*, i. 2, 80, 83. See also Pastor, *Korrespondenz des Kardinals Contarini*, 27, and Newald, *Gesch. von Gutenstein* (Wien, 1870), i. 209.

[2] Pastor, *Reunionsbestrebungen*, 414.

the long-standing contempt it has brought on itself by well-proven sins, by the death of old clerics and the non-appointment of young ones, has almost dwindled to nothing.'[1] Before the advent of the Jesuits more than 1500 parishes—although far more extensive at that time than at the present day—were entirely without spiritual ministration.[2] The cloisters of the old Order, in consequence of the general decadence, were not in a condition to supply this spiritual ministration. Only too frequently these institutions merited the reproach of John Eck: 'In the convents the love of many has waxed cold, Christ no longer reigns in their midst.' In them also, with scarcely any exception, numbers increased but very sparely. At Benediktbeuren, for instance, in 1541, there was not a single priest; in Andechs no monks fit for the prelacy; and in 1558 Duke Albert of Bavaria complained that 'many of our "God's houses" contain but few monks and these few are not to be had.'[3]

[1] Paulus, *Katholische Schriftsteller*, 549.

[2] Riess, *Canisius*, 19. The Eichstätt coadjutor bishop wrote in 1553: 'Formerly the mendicant Orders were assigned to the secular priests as helpers in the teaching and ministry of God's Word, and whoever can go back in memory for forty years and more will bear true testimony to the fact that in those years more people fit for proclaiming the Word of God could have been taken out of one single mendicant convent than can nowadays be found in a whole university, none whatever excepted, in our chief and highest German lands; for this we have to thank the newly reformed people.' 'Grundt und Kundtschaft auss Göttlicher Geschrift und der heiligen Vättern, das Fleisch und Blut Jesu Christi im Ambt der heiligen Mess durch geweychte Priester warhafftigklich geopfert werde' (Ingolstadt, 1553), Bl. H^{4b}.

[3] Huschberg, *Gesch. der Grafschaft Ortenburg*, 371-372. Similar complaints concerning lack of ecclesiastics, in Paulus, *Hofmeister*, 243 ff., 247. See also *Histor. Jahrb.* 1894, xv. 587. Concerning the decrease of novices in Melk see Keiblinger, i. 747 note, 750 ff., 765 note, 768 ff. What sort of spirit prevailed in many of the old monastic institutions is seen from

Under such circumstances it cannot be wondered at that, even in Catholic Germany, disorder and demoralisation should have continuously increased. There is no district from which we do not find agonising complaints and appalling evidence in this respect. In a greater or less degree all parts of the land were drawn into the whirlpool which 'Lutheran licence' had created.

Perhaps the saddest conditions were those in the Austrian lands, although, in this very region, Ferdinand I. and his wife set a shining example in moral respects.[1] An inspection, set on foot by King Ferdinand in 1528 on Faber's advice, laid bare the gravest evils. The new doctrine had penetrated into the convents. From Vienna it was reported: 'In St. Dorothy's the dean read Lutheran books; in the cell of Father Martin there were found Lutheran writings; in the Mary Magdalen nunneries at the Schottentor and St. Laurence's, the nuns read Lutheran books and disputed over the old and the new doctrines; the nuns of St. James and Himmelpforten read Lutheran books and thought they were more intelligible than the breviary; the Poor Clares in the convent of St. Anna read Lutheran books and were very lax about the vow of chastity. In the "Scottish-monastery" there were only seven monks. Abbot Michael openly kept a mistress with him in the convent. The Prior of the Carmelites was sent to prison for immorality. At the Corpus Christi procession there were all sorts of wanton games which produced more laughter than reverence; clerical

a report of Vergerio's from Prague in 1534 on Dominicans who wanted to introduce Lutheranism into one of the nunneries under them. See *Nuntiaturberichte*, i. 1, 226; see also i. 2, 145.

[1] See Baumgarten, *Karl V.*, vol. iii. 362-363.

personages, monks, artisans, burghers had all partaken of such a bountiful breakfast that they came reeling to the procession, carrying with them flasks or cans of wine and drank toasts to each other.' [1]

Reports of later years show steadily increasing anarchy and demoralisation among clergy and people. The dearth of priests, to remedy which King Ferdinand and Bishop Faber exerted themselves to the utmost, was then, as before, still extraordinarily great. In 1537 the Roman king told the Nuncio Morone that he could not find one single good chaplain, for they were all of them either concubinists, or ignorant men, or drunkards, or else they had some other great fault.[2]

A fresh inspectoral visitation inaugurated by King Ferdinand in 1543 showed that the dearth of priests was the principal evil. It came out that a considerable number of livings and benefices had been unoccupied for years, so that the people were forced 'to live and die without baptism, confession and the Sacraments of the Altar.' As a reason for this state of things the inspectors adduced that 'the feudal lords, partly from contempt and neglect, partly because they wanted the revenues for themselves, did not fill the benefices; then also the feudal lords exacted rates from the pastors, oppressed them with socages and took possession by force of all that they left behind them at death; besides this the livings and benefices were over-burdened with taxes too heavy to be paid up. The incorporated livings were burdened with high rates by the prelates and only supplied with meagre endowments. All this explained the dearth of priests. In view of the present persecution of

[1] Wiedemann, *Reformation*, i. 56-57.
[2] *Nuntiaturberichte*, i. 2, 227.

churches, schism in religion, weakening of clerical immunity, contempt and scorn of the priesthood, few men nowadays aspired to priestly dignity or to professorship in the public and private schools. The clerical estate and the clerical schools were declining more and more, and if no succour came, both would soon be altogether at an end. That the clerical estate was considered unworthy and contemptible was not so much the fault of the times as of the iniquitous lives of the clergy.' [1]

How rapidly corruption was increasing was shown by an inspectoral visitation of cloisters in 1561, at the close of which the following report was sent to the Vienna Bishop: 'Your Lordship, the whole convent system is so disordered and so corrupt throughout, that in my opinion the evil has grown beyond our power to remedy. All religious and monastic people have digressed so far from their rules, statutes, and canons, that it is no longer possible to bring them back to the observance of them. The ordinaries, provincials, vicars, and prelates, have grown so callous that they trouble themselves no whit about the abuses, seek neither help nor counsel, and indeed would not be pleased if help were given to the convents.'

'In almost all the monasteries,' so say other documents, 'the highly venerable Sacrament of the Altar is administered to the laity in both kinds, and besides, consecrated without the Mass and not reserved in the tabernacle; the canon and the collects in the service of the Holy Mass are either entirely left out, or else strangely and arbitrarily altered according to the will of the officiators, the prayer for the dead is not used and the children are christened unceremoniously with unblessed

[1] Wiedemann, *Reformation*, i. 93–95.

water and without chrism. At the last inspectoral visitation it came out that concubinage is not only in the ascendant among the incorporated parishes, but even in the convents themselves, where many monks, without the slightest shame, keep and maintain their supposed wives, or concubines, to the great scandal of the laity and to the detriment of the impoverished convents and churches. In many places there are either "regular" or foreign preachers who preach in an heretical, sectarian manner, altogether opposed to our Catholic true religion, and who turn away from the right path not only the convent-brothers but also the poor lay-people.'[1]

Still more plainly was the case put in a contemporary tabular statement respecting 44 monastic houses, giving the number of monks or nuns, of wives or concubines, and of children in each of them. We quote some of the figures: 'In the Klosterneuburg, 13 monks, 2 nuns, 6 wives, 8 children; in St. Florian, 10 monks, 12 wives or concubines, 18 children; in Göttweih, 1 secular priest, 7 wives, 15 children; and in 36 monasteries, a total of 182 monks, 135 wives, and 223 children.'[2] A 'summarised statement of the year 1563 concerning all the convents in the five Lower Austrian hereditary lands, according to the latest inspection and reformation' reports that in 132 monastic houses and parishes served by them, there were only 436 monks and 160 nuns. Of the 436 monks, 55 were married, and 199 lived in concubinage. Countless others had deserted their convents. 'Therein lies the horror of it,' says the historian of the Abbey of St. Florian, 'that to an immense extent it was

[1] Wiedemann, *Reformation*, i. 157, 163.

[2] Sickel, in the *Archiv für osterreich. Gesch.* xlv. 6–7.

not real conviction which drove people into the arms of Lutheranism, but the charm of unfettered novelty and the lusts of the flesh.' [1]

No need for further particulars to show that under such conditions the people in the Austrian lands were bound to fall victims to demoralisation and anarchy. Indeed we may fairly doubt whether at that time Austria could still be counted among the Catholic countries. An observer as accurately informed as Peter Canisius was of opinion that barely one-eighth of the population was 'really Catholic.' [2]

Precisely similar conditions were discovered by the inspectors in Styria. Concerning the nunnery at Admont it was reported: 'For a space of about fourteen days no Mass has been said, for they think nothing of it; they have had Lutheran books and tracts sent them by their brothers and friends. Four of them ran away; one came back, the other three married.' On the other hand, the nunnery at Göss and the Canons Regular at Pöllau were found in the best of conditions: 'they are entirely against the Lutheran and other misleading sects.' Also the foundations of St. Lambrecht, Seckau, and Stainz gave no occasion for reproach. The same cannot be said of most of the country pastorates. The pastor at Dechantskirchen said from the pulpit: 'I will give you another year in which to receive the Sacrament; but at the expiration of the year each one of you must repeat the words like the priest, for each of you can be a priest.' He also prayed from the pulpit for the pastors at Pirkfeld, Friedberg, and Grafendorf that Almighty God would vouchsafe to turn them to the right Christian

[1] Bucholtz, viii. 212–213. See also present work, vol. vii. 155–156.

[2] See present work, vol. viii. 307.

faith. It was for these reasons that they were not hostile towards his Lutheran faith. Another Styrian priest made the following comment on reading from the pulpit the inspectoral mandate: 'It must grieve the heart of God Himself that we should have to read such things, while we are forced to be silent about God's Word. It will not be long, however, before the pure evangel is proclaimed everywhere.' The same man called the Holy Sacrament monkey-play and repudiated good works, for, 'Christ has done everything, we have no need to do anything.' In Bruck the new doctrine had already taken deep root; it was often preached there, 'God has taken away heaven, hell, and sin. The devil is no longer anything.' In Leoben there was a vicar who was quite Lutheran and who had 'taken his mistress to wife.' The miners of Schladming would have only a general confession of sin. In Knittelfeld some of the burghers were accused of having two, or even three, wives. In Marchburg there were 'few priests who celebrate, and few people go to church.' It was almost only in the mountain districts that a better state of things was found. In the capital of the land, Gratz, on the other hand, numbers of the burghers called for Lutheranism; a schoolmaster there incited the children to burn the pictures of saints.[1]

No less serious was the religious and moral anarchy in the Tyrol. Here too the religious innovation—not without the fault of the clergy—had found entrance into wide circles. In the ranks of the secular clergy, up to the highest grades of the hierarchy there had been, through the whole of the sixteenth century, few men blameless in conduct, spiritually minded and zealous

[1] Robitsch, 35–59.

for the care of souls. Moral transgressions, above all the deeply rooted evil of concubinage, a low degree of culture and straightened material means debased the clerical estate. On the occasion of a church visitation in 1577 each of the five canons of the Brixen chapter was found to be without Holy Orders. From Trent the town-captain Kuen reported in 1565 that half of the eighteen canons never celebrated a mass (some of them for the reason that they were under the charge of having committed murder), and that the cathedral provost only came once in the whole year to the cathedral and that 'once' was when it was a question of receiving the 'annual dues.' Under these circumstances it is easy to understand why, in 1567, on the occasion of festivities at Innsbruck in honour of the territorial sovereign, it was necessary to provide a special place for the clergy out of reach of the fury of the populace.[1]

How widespread concubinage was among the clergy is seen from the visitation protocols; one such for Brixen in 1578 counts up in some sixty parishes nearly 100 concubinists. Still worse in this respect were the conditions in the Trent diocese. In the Tyrol, where the lack of priests was also felt, there was an added evil, viz. the want of German pastors; the Italian substitutes proved, for the most part, unworthy. The convents and abbeys, with few exceptions, had also become very worldly; many of them were almost entirely deserted.[2]

Religious conditions of this sort not only were bound to help on the invasion of the new doctrine, but also to injure the moral life of the people in the highest measure. Already in 1551 Mameranus, in opposition

[1] Hirn, i. 78–80, 91–92. See also *Histor.-polit. Bl.* vi. 577 ff.

[2] Hirn, i. 86, 88, 92 ff., 98 ff.

to the councillors of King Ferdinand, pointed out how particularly evil conditions had become in the Tyrol. There was no longer, he said, any reverence for things sacred; nobody would go to church, not even on Sunday; out of 300 adults scarcely twenty attended divine service on Sunday, and even this handful did not stop to hear the whole sermon or the whole of Holy Mass.[1] Even in the towns there were grown-up people who did not know the Ten Commandments or the Lord's Prayer. With ignorance like this, coarseness and crime went hand in hand. Judicial documents give lists of gross violation of property, of murder and other crimes 'in appalling quantity.' The provincial ordinance of 1573 testifies to the ascendancy of blasphemy, cursing and swearing, to excess in eating and drinking, to extravagance in dress, to gambling, bloodshed, and heavy sins against morality, to usury and fraudulence.[2]

In the Austrian frontier lands, also, moral and religious disorder had spread incontinently. The convents especially were completely ruined. The same was the case in Alsatia.[3] 'We cannot deny,' said a writer thoroughly acquainted with the conditions in West and South Germany, 'that there are in the convents numbers of idlemongers, numbers of arrogant,

[1] Druffel, *Briefe und Akten*, i. 861–864. [2] Hirn, i. 74 ff., 457.

[3] Hirn, i. 122 ff., and 125 ff., on the convent destroyer Heinrich von Istetten. See also Levy, *Gesch. des Klosters Herbitzheim* (Strasburg, 1892), p. 47 ff. The Strasburg bishop Erasmus wrote on September 14, 1551, to the Emperor: 'Respecting the Reformation, the present *schisma* and split have brought the clergy and the priesthood into such dissolute, free and bold living, that it has not been possible to preserve or organise much here. To take proceedings against the concubines of the pastors would only lay waste the pastorates. Already there is a dearth of pastors; the old ones die, and few nowadays decide to take Holy Orders.' Druffel, *Briefe und Akten*, iii. 126.

defiant despisers of holy obedience; but their number has been increased by the unhallowed new teaching.'[1]

Concerning the moral anarchy among the high and low clergy, and also in the lay world, in South-west Germany, the Zimmer chronicle gives terrible accounts. What is told here, for instance, concerning the abbot of Weingarten or the nunneries at Kirchberg and at Oberndorf (the harlot-house of the nobility), gives a glimpse into a fearful abyss of wantonness and vice. By far the greater number of revolting incidents (related here with the greatest frankness) in which clerics took part, belong to the period after the Church split. The standpoint of the chronicler is expressed in the following words: 'But it is not religion or our Christian and unfailing Church, or the monastic Order, or old tradition and the authority of our forefathers and so many holy godly people, that are responsible for this state of things.'[2]

Like the Zimmer chronicle, so, too, the memoirs of the Cologne burgher Hermann von Weinsberg afford a deep insight into the religious and moral conditions of a Catholic district. The picture which confronts the reader is in this case also thoroughly unedifying. Progressive decline in the whole realm of private and public life is unmistakable. Family life, to the great injury of child-education, was disturbed by constant discontent and breach of conjugal fidelity; and in church life many pleasing manifestations were opposed by numbers of very distressing ones.[3]

[1] Paulus, *Hoffmeister*, 24. [2] *Zimmerische Chronik*, ii. 552.

[3] See Unkel in the *Histor. Jahrbuch*, xi. 545 ff. The dark side is pre-eminently shown by Ennen, iv. 46 ff. Concerning the religious and moral disorder in other ecclesiastical districts see the present work, vol. vii. 180, vol. viii. 215, 327. Better conditions prevailed in the Duchy of Jülich;

A similar impression is produced by turning over the pages of the historical work of the Hildesheim chronicler John Oldecop. The author, moreover, does not fall into the error, common to almost all the writers of the time, viz. the incapacity to see the good which exists, on account of the evil which strikes the eye far more forcibly. Oldecop is able to tell of not a few excellent, pious and zealous clergymen.[1] Deep signs of lives of inward religion, of sincere enthusiasm for the Catholic faith, showing themselves actively in loving deeds, are not wanting in this chronicle. Specially delightful it is to meet in the town of St. Bernward with two distinguished bishops, Valentin von Teutleben (1537–1551), who died of grief and anguish for his beloved bishopric Hildesheim, and whose 'chaste life, faithful industry and labours in the diocese no one can adequately describe,' and Burchard von Oberg (1557–1579), who with rare courage opposed a front to the blind fury of Lutheran burghers, and spent whole nights in the cathedral praying for the salvation of his bishopric. The situation was indeed an unspeakably sad one; had not Frederick of Holstein, a man utterly destitute of morals, been posing as Bishop of Hildesheim from 1551–1556, without consecration and without papal confirmation of the title? John Oldecop was not mistaken as to the seriousness of the times. Sure witness of it is the still preserved inscription in his house at Hildesheim:

see the 'Mitteilungen aus den Visitationsprotokollen' of 1559 in Koch; *Die Reformation im Herzogtum Jülich*, Heft ii. (Frankfort-on-the-Maine, 1888), pp. 83 ff., 107 ff. (p. 109 read in Merssen: 'Der Pastor erhielt ein gutes Zeugnis—' instead of 'schlechtes').

[1] *Chronik of Oldecop*, 100, 222 ff., 243 ff., 308, 419 ff., 445; for the corruption of the higher clergy see especially p. 262.

'In the year of the Lord 1549, Virtue, the Church, the clergy, the devil, simony, Ceases, is shattered, err, reigns, prevails. The Word of God endures for ever.'[1]

Of all the German territories Bavaria had kept itself the most separate from the new doctrines and had also most seriously endeavoured to remove the heavy abuses. In spite, however, of the great energy which the Bavarian rulers had developed in this respect, the end aimed at was still far from accomplished. Many bishops, to whose dioceses Bavaria belonged, persisted in idle indifference; others complained that 'their hands were tied' by the numerous exemptions. The canons, mostly chosen from the demoralised nobility, caused the greatest offence by their openly scandalous lives of sin. As regards the lower secular clergy and the monastic clergy, matters were no better. According to Eck's testimony concubinage was already 'universally common' as early as 1540.[2] The inspections of 1558 and 1559 showed that, speaking generally, the most unhappy conditions prevailed, but that individually much good still existed;[3] thus among the convents there were some that were permeated by an excellent spirit, for instance the old Benedictine foundation of Metten. The majority of them, however, were disorganised and corrupt; many were only kept together by fear of the Duke. Under such circumstances the stringent police regulations of the government were of no avail to stem the invasion of Protestant influences.

[1] Anno Dom. 1549. Virtus. ecclesia. clerus. demon. simonia. Cessat. turbatur. errat. regnat. dominatur. Verbum Domini manet in eternum, &c.

[2] See present work, vol. vii. 168 ff.

[3] Knöpfler, *Kelchbewegung*, 55 ff., where Sugenheim's partiality is well illustrated.

The result was the formation of a mixed religion of the strangest kind. 'This religion 'thought nothing of the Pope, and very little of the bishops, rejected oral confession, confirmation and the last unction, encouraged the administering of the Communion in both kinds and the rejection, or the Germanising, of the Mass, laughed at indulgences and consequently did not believe in purgatory, declared the fasts and abstinence from meat prescribed by the Church to be unnecessary, inveighed against pilgrimages and stations of the cross, as well as against the invocation of saints and the veneration of relics, despised conventual life and the rule of celibacy.' [1]

Open transition to Protestantism was, meanwhile, for the preachers of this persuasion, only a question of time. The latent Protestantism in that portion of the clergy who, outwardly, still remained Catholic, wrote a German archbishop in 1560, did incomparably more harm to the Church and to the nation than open apostasy.[2] The reaction of these religious conditions on the moral life brought about the same manifestations as in places where the new doctrine was openly acknowledged. The people became completely demoralised. In many places only a few women and old dames attended church. The taverns, on the other hand, were always full. It happened one year that the peasants, on Easter day, drank up a barrel of beer in the church and set fire to the pastor's house. Blasphemy, swearing, cursing, drunkenness, and debauchery were almost everywhere the order of the day. If Musculus

[1] Stieve, 'Die Reformationsbewegung im Herzogtum Bayern,' in the *Allg. Ztg.* 1892, Beil. No. 38.

[2] See present work, vol. vii. 184.

asserts that cursing and blaspheming were specially in vogue in the Protestant districts and towns, the mandates of the Bavarian dukes show that these 'terrible evils' went on steadily increasing among their subjects also. 'Blaspheming and swearing,' says the Bavarian provincial ordinance of 1553, 'increase from day to day. The peasantry and the common people give themselves up day and night to gambling, not only on holiday nights and feast days, but also on working days.' A mandate of Duke Albert V. of 1566 shows the growth of the 'two vices of blasphemy and drunkenness' not only 'among adults and old men, but also—a thing unheard of before—among women; young children even are tainted with the evil.' [1]

'All his repeatedly issued police and land ordinances,' says an edict of the above-mentioned Duke in 1570, 'were not regarded: almost everybody—above all the common people, young and old—falls openly and shamelessly into these vices: the evil grows worse and worse.' [2]

When we look back at the condition of things in Austria, Bavaria, and the ecclesiastical dominions, the question is forced upon us whether indeed, after the middle of the sixteenth century, there was really a Catholic Germany opposed to the Protestant one. The complete victory of the new doctrine, in this part of the empire also, was at any rate infinitely more probable than the contrary. There was no point in which, at that time in Germany, the Church was not threatened: even the protection which she met with from some of the Catholic princes was a danger not only to her

[1] Sugenheim, *Bayerns Kirchen- und Volkszustände*, 530; cf. 53 ff.

[2] Westenrieder, viii. 352 ff. Concerning the depravity of the female sex, see Sugenheim, 530 note.

freedom but also to her teaching and discipline. Had not the emperor and the Bavarian dukes for a long time regarded the concession of the communion chalice and the marriage of priests—which had always proved a rapid mode of transition to Protestantism—as the salvation of the Church?

Never had the Church in Germany been in greater danger: but from her extremest peril God the Lord saved her.

Many factors worked together to this end: the Council of Trent, the new Orders—above all the Jesuits and Capuchins, the exertions of distinguished popes and their nuncios, and finally the efforts of a few Catholic princes and blameless bishops such as an Otto von Truchsess, a Balthasar von Dernbach, an Echter von Mespelbrunn.

All that was lasting in the efforts after reform had its origin in the labours of the three first Jesuits who worked on German soil: Peter Faber, Claudius Jajus, and Nicholas Bobadilla. The letters and diaries of these men breathe a spirit of holy earnestness, of love and tenderness even towards the heretics. Their success they referred essentially to the Book of Exercises of St. Ignatius. This book gained for the Order a man who was among the most prominent and influential Catholic reformers of the sixteenth century: Peter Canisius, the first provincial of the Order for South Germany and Austria. What this man and his brothers of the Order did in pulpits, in schools, and by the side of sick-beds, excited the wonder even of Protestant contemporaries. *Jesuitical* and *strictly Catholic* became synonymous terms in the German language.

It was the Council of Trent, through the decrees of

which a religious and moral renovation was also effected in Germany, which gave the efforts of the Jesuits a firm basis and assured them lasting success. Bavaria was the district first and most powerfully influenced by the Catholic reform movement, and it became the chief centre of the newly awakened church life and acquired, in consequence, the importance almost of an European great power. The Rhenish archbishoprics, such as Fulda, next caught the inspiration, and finally Austria too roused herself and began in earnest a crusade against the prevalent corruption.[1] Of immense importance for the regeneration of Catholic Germany was the Collegium Germanicum at Rome, which was 'the nursery of numbers of secular clergymen distinguished by virtue and learning, as well as the many copies of this institution which sprang up on German soil and of which Dillingen became the most renowned.'[2]

All the efforts of individuals to stem the intellectual and moral misery had hitherto remained fruitless. Not till the mighty stream of a fresh, inward religious life was turned on Germany by means of the men of the Catholic restoration, above all the Jesuits, did any

[1] See present work, vol. viii. 215 ff., 231 ff., 251 ff., 307 ff., 327 ff., 375 ff., and vol. ix. 381. Concerning the great change effected by Canisius in Augsburg, see Braunsberger, *Epist. Canisii*, p. 34 sq.

[2] Schmid, in the *Histor. Jahrb.* xvii. 96, rightly draws attention to this fact. For the melancholy conditions on the Catholic side Schmid refers to Scheffold's *Geschichte des Landkapitels Amrichshausen* (Heilbronn, 1882), and to Cardinal Steinhuber's *Geschichte des Kollegium Germanicum Hungaricum in Rom* (2 vols. Freiburg, 1895), which contains such a wealth of matter. See especially i. 1 ff., 74 ff., 189 ff. The co-operation of the Germanikers in the Catholic restoration in Germany (1573–1600) is here exhaustively described. The conditions which confronted these men were lamentable, their labours were everywhere meritorious. Steinhuber justly denounces the unworthy, in part protestantised, canons of noble birth, as one of the greatest dangers for the Church in Germany.

improvement become noticeable. True, the activity of the best and most energetic representatives of the movement met at first with the greatest hindrances, not seldom with obstinate resistance, from the religious indifference, the anarchy and demoralisation prevalent also among the Catholics. It is incredible with what difficulties the first Fathers of the Society of Jesus, a Faber, a Canisius, had to battle. It cost untold labour to repopulate the empty 'God's houses,' to set going again attendance at church and partaking of the Holy Sacraments. In Ingolstadt and Munich it was the same as in Prague and Vienna. Gradually, however, the revival of religious practices, the training up of a new generation in Christian discipline and piety, the education of a morally pure clergy opposed a dam to the invading demoralisation around.

From town to town, from place to place, meanwhile, the difficulties increased; warnings and disturbances too often overthrew what with infinite labour had scarcely been built up. It needed Herculean energy to carry on, and in no slight measure carry through, on constantly threatened lines, amid persecutions, obstacles and difficulties of all sorts, the seemingly hopeless work of moral renovation.

Notwithstanding all these efforts the improvement of the moral and religious conditions of the Catholic people was, in the main, by no means thoroughgoing and general. The evils were too great, they had penetrated too deeply, and they came up again now here, now there. Inspections and consultations of provincial synods constantly brought heavy abuses to light. The bishops encountered manifold difficulties in enforcing the prescriptions of the Council of Trent, not only from

the rich and powerful abbeys and convents appealing to their immune position, but also from individual clergymen. Proofs of this are given, for instance, in the inspectoral protocols of the diocese of Constance of the years 1571 to 1586, which contain very distressing moral pictures and show the enormous spread of concubinage among the clergy.[1] The reports of the Cologne Nuncio contain much that is pleasant, but much also that is the opposite. 'In Cologne,' it says here, 'there is a great deal of piety and upright living. The Cologne pastors are learned men and they compete with the Jesuits in zeal for souls and in self-sacrifice during plague times. Many very efficient canonists are to be found in the towns and a sufficient number of clergy capable of ruling any diocese. The Cologne cathedral clergy are not self-sacrificing for the general welfare. The Rhenish population is particularly ignorant in religion; it is very self-seeking, as are the clergy also. Great corruption of character prevails in the Rhine district, the people are always undecided, and much addicted to the pleasures of the table; in spite of the bad times banqueting among both clergy and laity is never-ending.'[2]

Particularly distressing were the conditions in the ancient diocese of Bamberg. In the sixteenth century one-half of it had lapsed into Protestantism. At the

[1] See Gmelin in the *Zeitschr. für Gesch. des Oberrheins*, xxv. 129 ff. Cf. *Blätter für württemberg. Kirchengesch.*, vi. 1 ff., 17 ff., 28 ff., 36 ff., 43 ff., and *Zeitschr. für Kirchengeschichte*, xvi. 606 ff. See this passage also for the earlier conditions. See also the 'Beitrag zur Gesch. des Zölibats nach Akten des Fürstl. Löwensteinischen Archivs in Wertheim,' in the *Zeitschr. für Kirchengesch.*, xxi. 240 ff. For the general conditions under which a dearth of priests again showed itself, see also W. E. Schwarz, *Zehn Gutachten über die Lage der katholischen Kirche in Deutschland*, 1573–1576. Paderborn, 1891.

[2] Unkel in the *Histor. Jahrb.* xi. 546 ff.

beginning of the seventeenth century the opinions and tendencies of the new religionists had also penetrated into the remaining portion. There was no longer anything but sham Catholicism in the diocese; all was ready for complete apostasy. This is shown with appalling distinctness by the inspectoral reports.[1] In 1611 the Vicar-General Dr. Frederick Horner made a tour of inspection through the whole of the then diocese. This was followed the next year by inspections of special districts by the deans. After the issue of the inspectoral reports the Bamberg clergy of that period were seen to stand on a very low level both as regards morality and learning. In contradistinction to this the clergy of the forty-three Würzburg parishes, in 1807 incorporated in the archbishopric of Bamberg, were shown to be exemplary.[2]

The Nuncio Minutio Minucci, in his memorandum on the condition of the Catholic Church in Germany from 1588, insists that, first and foremost, care must be taken to provide good bishops and canons. Many of the bishops were still too weak, many of the canons still led sinful lives, and were withal avowed heretics.

[1] M. Lingg, *Kulturgesch. der Diözese und Erzdiözese Bamberg seit Beginn des 17ten Jahrhunderts auf Grund der Pfarr-Visitationsberichte*, vol. i. 'Das siebzehnte Jahrhundert,' Kempten, 1900. See Heimbucher in the *Histor.-polit. Bl.* (1901), 127, 841 ff.

[2] If Lingg, *l.c.* p. 37, says that the bishops of the closing sixteenth and the seventeenth centuries do not appear in a good light in the inspectoral reports, we may set against this the fact that, as Heimbucher (*l.c.* p. 845) aptly remarks, it was John Gottfried of Aschhausen (1609–1622) who instituted the inspection of 1611, and also made over to the Jesuits the work of counter-reform, and who, according to Weber's *Biography* (Würzburg, 1889, p. 145), was a saintly bishop, and the bishops who followed him lived some of them as fugitives in exile, while others had to repair the ruins of the Thirty Years' War. Here and elsewhere, so it seems to us, there is too much generalisation in the book.

Specially harmful were the continual dissensions between bishop and chapter, and the unlawful contracts by which the bishops were bound. 'This abuse,' says Minucci, 'prevails in all the dioceses of Germany, and most of all in Salzburg, Ratisbon, and Passau. It has come to this, that the chapter has turned into bishops and the bishops into canons.' The Nuncio insists on the improvement of the Catholic colleges and seminaries, on strict observation of the Tridentine decrees, and on remedying the evil of scarcity of priests. Bavaria and the archbishopric of Treves, he says, were the most free from heresy. 'In the whole of Germany there was an unmistakable backsliding in culture and an increase of depravity.' [1]

'We see, alas, and experience daily,' wrote the Freiburg theologian, Professor Jodokus Lorichius, in 1583, 'that our Catholic people persist unintermittently in all the sins of gluttony, drunkenness, unchastity, neglect of divine service, vanity and luxury in dress, cursing and swearing, usury, lying, deceit, envy, hatred and many other grievous and abominable vices, and that we clergy also have come to be little better. To cut the matter short, the majority of both clergy and laity, both rulers and subjects, among us Catholics, live as if there were no distress and disasters on earth or in the Church of God to interest and grieve us. People dance and make merry, give banquets, get up plays, pursue pleasure and wantonness, indulge in smart clothing, in eating, drinking, building and other worldly pursuits as if they knew and heard nothing of those who despise the Christian faith, revile and slander it.' [2]

[1] *Nuntiaturberichte*, iii. 1, 750, 752, 755, 763, 765 ff., 774 ff.

[2] *Religionsfried*, 44–45.

In Austria, despite the indefatigable labours of the Jesuits and the Capuchins, the state of things among clergy and people continued to be very lamentable. Inspections brought grievous abuses to light. The dearth of priests was still so great in 1591 that such an inveterate enemy of priestly marriages as Klesl proposed for the pastorate of Ips a man with a wife and child, and the man was duly installed there.[1] In Vienna, in the eighties of the sixteenth century, there were still open unbelievers; it is reported that three doctors there, before their death, declared themselves to have no creed whatever; a fourth forbade the ringing of bells at his interment and expressed the wish to be buried in unconsecrated ground.[2]

Reports of a more pleasing nature come from the Tyrol. Here the Catholic restoration achieved important results. Already in the seventies the Count of Hohenems was able to assert that the religious condition of the counties of Bregenz and Hohenberg was, with few exceptions, altogether blameless; the same happy state of things was reported a few years later by the coadjutor of the bishopric, of Brixen and also of Sterzing, and the chancellor of the 'Vorlande' announced in 1592 that the clergy were improving.[3] All the same, here also the work of destruction, which had gone on for a century, could not be repaired in one generation. How bad the conditions were in many ways among the nobles and the people is seen from the work of the Tyrolese physician Hippolytus Guarinoni, published at Ingolstadt in 1610, entitled 'Die Greuel der Verwüstung

[1] Huber, iv. 322 ff., 295; cf. 227 ff.

[2] Puschmann, 283. See present work, vol. vii. (German) 141.

[3] Hirn, i. 278; cf. 269 for the result of the inspection of the Brixen clergy.

menschlichen Geschlechts.' That which transpires concerning Bavaria from the writings of the ducal Court Secretary Aegidius Albertinus, viz. the existence of deeply rooted immorality in both higher and lower classes, is confirmed by this epoch-making work of Guarinoni, of such priceless value for the history of civilisation in the Tyrol.

Very dreadful things are related by the Tyrolese physician concerning the open immorality in the streets, and especially in the bathing-houses, which, here as everywhere also in actual Germany, were regular breeding dens of vice.[1] 'Of what goes on in these bathing-places,' he says, 'I should have to write a special, huge book, and even then I should not have exhausted the subject; a preacher of note, in a princely town in Germany, has already dealt with the subject in some twenty sermons and has scarcely yet touched the beginning. But if the town authorities saw and knew of the terrible vice and iniquity, as well as do God and the bathers, they would not be so insensate and inert and allow such scandalous abodes of vice to remain in their towns.' The moral abominations of the public baths, Guarinoni says, are well-nigh innumerable. 'How much unutterable iniquity is concocted and carried out there! How many deeds of murder and villainy are planned and sometimes also perpetrated there.'[2]

It is deserving of the highest commendation that even face to face with such conditions, the representatives of the Catholic restoration movement, above all the popular Capuchins and the learned Jesuits, never for a moment flagged. Ever anew we see these men, full of gentleness and strength, full of holiness and spiritual

[1] Guarinoni, 929–930, 944–947, 950, 955. [2] *Ibid.* 948, 949.

zeal, going forth in town and country to stem and destroy iniquity and corruption, to labour for the good of Church, state, and society.

The Protestant districts, with scarcely any exception, show no traces of even the partial improvement of moral conditions which was effected in Catholic Germany by the Church restoration. 'The evangelical counterpart' of the Council, the Formula of Concord, only augmented still further the religious confusion and the theological dissensions; any resolute action, such as the new Orders displayed among the Catholics, was *à priori* impossible on the Protestant side. Not a few well-intentioned and earnest Protestant pastors did their best, certainly, to oppose the moral corruption, especially by their 'witness sermons'; but the labours of these men remained isolated, and with their death all effort came mostly to an end. Their utterances are the most satisfactory evidence of the continual growth of moral and religious anarchy in the Protestant districts; many of their complaints produce a thoroughly staggering impression, and they are confirmed by the statements of numerous other contemporaries.[1]

'In this year 1556,' says Cyriakus Spangenberg, 'there were heard more frequently than before, in all lands, complaints of murder and bloodshed, plunder and robbery, usury, oppression of the poor, treachery and

[1] In the preface to the second volume of his work on the Reformation (p. vii.), Döllinger lays stress on the importance of the evidence which proceeds from the men of the second and third Protestant generations. 'It is not,' he says, 'by the afterthroes, terrible but temporary, of the great upheaval inseparable from a great religious revolution, that the conditions here depicted can be even partially explained; what is here manifest is the result of fruitage of a deliberately planned system which had already reached fixity, results and fruits which are independent, autochthonous, and in no way the consequence of a reaction from earlier conditions,' &c. &c.

dishonesty and many other scandalous sins, adultery, whoredom and suchlike iniquities.'[1] At the same date the Protestant pastor Justus Menius said: 'We see all over the world how disgracefully the great masses abuse the freedom of the faith and the evangel, just as if the Son of God had only died that we might have greater liberty to sin.' 'The ingratitude and self-confidence which have followed on the revelation of the gospel,' writes a Nordhäusen preacher in 1556, 'are indescribable.' A pamphlet of the same year published by Christopher Lasius, with a preface by Melanchthon, paints the condition of the Lutherans in the darkest shades. What sort of fruit the vineyard has brought forth, is notorious: no amount of discipline avails any longer, nobody dreads the wrath of God. Carnal liberty, with many of those who boast of being evangelical, is the best treasure sought after from the evangel, and the vineyard of the Christian Church, so well planted for good ends, bears nothing else than the sour, unripe berries of unfruitful lives.' Lasius describes the 'living and doing of those who set up for being saints' in the following manner: 'What care such potentates for our preaching of repentance? Is it not enough that they are evangelical? Are they not clean if only they do not commit the great offence? So, too, is it with the evangelical nobles among whom are no small number of peasant torturers, who do nothing but plague tenants with farm services. Yea verily, some of them (the nobles) plough the Church glebes, take whole wispels[2] of corn from them, and then stick a donkey in the pulpit, who spells the gospel out of the postils, takes a dirty particle and considers his business well done.

[1] *Sächsische Chronica*, 685.

[2] Wispel = twenty-four bushels.

'The shrewd and cunning peasants in the country adopt the same style, and think that if they pray, go to church and hear sermons, God is paid; and if when they go to market they bargain and fleece, and at home carry on all sorts of iniquity, and never do their neighbours a good turn, that doesn't matter at all, because they are so pious in attending divine service. This, God have pity on us, is the new obedience of the present day, now that the evangel is preached so plainly and clearly. With our people the favourite preaching is that of sweet mercy and grace alone, very soft, easy treatment and no serious talk about penitence. Too much insistence on the law makes morbid and scrupulous consciences, but omission of all preaching on penance and punishment produces crops of impudent grace-trusting sinners.' 'These people can chatter largely about the evangel, they know exactly who Christ is, what sweet grace he has obtained, item, that good works do not save, and therefore they do them all the less because they have no need to build on them, use the dear gospel for carnal freedom, and thus bring great shame on Christ and his word, and the new obedience is nowhere. . . .'[1]

A very dismal picture of the conditions of morality is given by the Protestant preacher Andrew Musculus in 1559 in his 'Unterrichtung vom Himmel und der Hell.' In the dedication of this book he points out 'the great assurance, scorn and ingratitude' with which the 'Germans, unlike any other people since the time of the Apostles, have behaved in these most wicked and dangerous times, in which the ears of most people are stopped up with arrogant self-confidence, so

[1] Döllinger, *Reformation*, ii. 176, 545, note, 266–267.

that no amount of shouting, screaming or wailing, has any effect upon them.' Accordingly he has published three books: 'First, what we Germans especially have to expect from God in the way of disaster, punishment, and wrath. Secondly, how that the Day of Judgment will not tarry long, but will soon come. Thirdly, how insolently and disgracefully the great masses in Germany, who have been so richly blessed with the pure gospel, comport themselves.' Our poor forefathers were not so lost to all sense of right, they thought diligently about future things, went about seeking help and counsel how to escape from future torment, did all that they possibly could with castigation, fasting, praying, almsgiving, endowments and so forth; but they had not been blessed by God with 'the right way of salvation, could not and would not find or seek the gate to heaven save through man's ordinances, and outside of God's word. We, however, who have been so richly favoured with the knowledge of God and the right way to eternal life, and have had heaven opened so wide before our eyes, we behave according to the words of the proverb: "When one has not got a thing one longs for it; when one has got it one does not care for it." That for which our fathers yearned with all their hearts, we loathe and despise more than the Israelites despised the manna, and trample it under our feet. We are so nauseated with the evangel, the Sacraments, the doctrine of confession and penitence, as though we had been fed on them with spoons, as the saying is.' 'Fine, grand silk clothes, good days, eating, drinking and carousing, that's what engrosses our whole heart and mind and thoughts. For Abraham's bosom, for Moses, Luther and the

Prophets we care not a straw. We no longer trouble ourselves about heaven or hell, we no longer think about God, or about the devil; hogs, nothing but hogs, does Germany breed now, hogs too, Christ will find soon at His glorious coming, hogs which never cry out till the slaughterer strikes them on the head. The nearer the Day of Judgment draws, the more self-confident, audacious, hoggish and insolent do the people become, and they hurry as fast to hell as hell hurries to them. The coarse, reckless world eats and drinks and lives in piggishness. But the time is at hand when the devil will come and carry off thy soul from the best-spread table and throw thee neck and crop into such torment and anguish as the Lord has foretold.'[1] Concerning the depravity of the young especially, Musculus wrote: 'We are all crying out and complaining that young people were never wickeder since the world began than they are now, and that they cannot well become worse.'[2]

Paul Eber, since 1559 town pastor of Wittenberg, in consequence of the state of the Protestant Church and the depravity of the people, began to have doubts as to whether his Church was the true one. 'Our whole evangelical Church is full of so many and great disorders and offences, that it seems to be nothing so little as that which it boasts of being. For if we look at the evangelical teachers we see that some of them, from ambition and greed, or from envy or arrogance, corrupt the true doctrine and disseminate, or obstinately

[1] A. Musculus, *Unterrichtung vom Himmel und der Hell*, Erfurt (1559), chaps. iii., iv. For other utterances of Musculus, especially on the religious and moral conditions in the Electorate of Brandenburg, see present work, vol. vii. p. 298 f.

[2] *Theatr. Diabol.*, 137$^{b}_{4}$

champion, false doctrine; that some stir up needless strife, carried on with implacable ill-will and hatred, some bend and twist religion to suit the taste of the rulers or of the people, whose goodwill and favour they esteem higher than the glory of God and the spread of truth, while some, with their wanton and scandalous living, destroy all that they have built up with the veritable doctrine. These spots and offences in the teachers cause no little distress to the godly and turn away many from the evangelical doctrine. On the other hand, if we look at the evangelical people, we see scandalous abuse of religion and Christian freedom, contempt and neglect of the holy Church service, much vicious disputation, squandering of Church goods, ingratitude towards the faithful ministers of the Word, the overthrow of all discipline, unbridled refractoriness among the young, and the most abundant daily crops of every kind of vice. At sight of such evils we may well be terribly alarmed, and may almost doubt whether our evangelical Church, in which there are so many divisions, dissensions and abominable sins, can be the true Church.'[1].

In accents equally hopeless spoke at the same date the Protestant philologist Joachim Camerarius.

The Lutheran preacher, Bartholomew Wolfhart, said, in 1563, that things had come to such a pass that though the people were satisfied to receive the communion once in two, three, or four years, or on their deathbeds, and never troubled about baptism or the Lord's Supper, knew nothing of Christ and His merits, nor of sin or justification, yet the poor preachers must be on the spot from hour to hour, preach incessantly

[1] Döllinger, *Reformation*, ii. 160–161.

of grace and forgiveness of sins, administer Sacraments and conduct Christian burials; if they refused to do this, then the Rhine and the Danube were on fire. Not only, Wolfhart goes on, had love grown cold, but it had quite gone out, and hearts were filled instead with nothing but bitter hatred, envy, anger, hostility and murder. There was no discipline and no honour; whoredom, adultery, and suchlike scandalous vices had so gained the upper hand, that he doubted whether things could ever be improved. Feast days were spent in nothing but eating, drinking, gambling, dancing, and so forth; God's word and ministers were so despised that anyone who could 'jolly well' worry and plague a priest was 'Hans Dampf' in all the streets. 'Nowadays, when we have escaped from the abominable Babylonish captivity of the scarlet whore of Rome through the revelation of the holy evangel, and when we can quite easily, and without special trouble, expense, and danger learn and acquire all that is necessary and good for soul and body, there is nobody who cares at all about it; when the gospel is preached the greater number do not come to listen to it; those who do come, listen to a little bit and then hurry off; and as for those who listen to the end, it goes in at one ear and out at the other.'[1]

The Franconian preacher, John Schrymphius, also saw no trace of any 'improvement of life.' 'Carnal licence, unbridled audacity had brought in their train Babylonish anarchy and utter barbarity and bestiality of living.'

A year later the Protestant theologian, Nicholas Selnekker, wrote: 'In short, there is no manner of

[1] Döllinger, ii. 593, 303–304.

vice that can be imagined or mentioned which is not committed wholesale among the people, and for the most part unpunished. What shall we come to in the end? The Word of God is so frightfully reviled, slandered and scorned throughout the whole of Germany, that it is impossible but that something terrible will happen. Men and women will no longer submit to being punished by the Spirit of God, let the preachers say what they will. "What," they ask, "has the parson said that? What do you mean, are we to put up with that? Hulloh, Hulloh. Off to the tower with the scoundrel; I 'll put an end to his song, the devil may fetch him then."' Selnekker divides the crowd of the 'evangelicals' in two parts: the one lives recklessly, the other in despair.[1]

Precisely similar experiences as to the religious and moral condition of the Protestant people are described by the Tübingen theologian Jakob Andreae. 'The Lutheran multitude in Germany certainly allow place and room to the Word of God as far as preaching it goes, but no improvement in life is discernible, only a wild, epicurean, bestial sort of existence with eating and drinking, pride and vanity, and blasphemy of the name of God.' 'Every word of reproof is regarded as new popery and new monkdom. "We have learnt," say they, "that we can only be saved through faith in Jesus Christ, who paid for all our sins with his death; we cannot pay for them ourselves by fasting, almsgiving, prayer, and other works. Therefore, do not bother us about these works, we can be saved all right through Christ." And in order that all the world may see that they are not popish, and do not

[1] Döllinger, 320, 170, 339 ff., 342 ff.

trust in good works, they do none whatever. Instead of fasting, they drink and gorge day and night; instead of giving alms, they fleece the poor; instead of praying, they curse, blaspheme and revile the name of God so terribly, that even the Turks do not equal them in maledictions of Christ. Instead of humility, pride, pomp, arrogance, luxury in dress are rampant. All this must be regarded as evangelical, and these poor people really persuade themselves that they have a true faith in God in their hearts, that they have a gracious God, and are better than the idolatrous and pseudo-apostolic papists.' [1]

'One devil, the popish devil, has been exorcised,' says Christopher Lasius, in a pamphlet printed in 1568, 'but he has returned with seven worse ones.' The cause of this is 'the Flacian "Sammetbusse" (velvet penance). This makes everything very easy and comfortable, puts its silken penitents on velvet cushions, and teaches that conversion may come to those who do nothing themselves in the matter and feel neither penitence nor sorrow.' The Flacian—that is to say, the Lutheran doctrine of the passivity of man in his conversion—is also blamed in a memorandum of the Leipzig and Wittenberg theologians of 1570 as the cause of the prevailing corruption. 'The great multitude,' it says here, 'have fallen into a wild, depraved, godless state of existence, and all heed and diligence to keep to the Word of God are given up, as, alas, we see daily before our eyes, for everywhere the people, both of high and low degree, lead such epicurean lives that there is not a single place in the whole world where one does not find better discipline,

[1] See present work, vol. viii. 400.

more respectability and virtue, than among those who hear God's word every day.'[1]

With like despair spoke the Thuringian pastor, John Belzius: 'If you want to see a multitude of savage, coarse, godless people collected together from all classes, go into any town where the holy Evangel is taught and the best preachers are found; there you will see them in crowds.'[2] 'The holy Evangel,' wrote Ludwig Milichius in 1568, 'which has now been preached faithfully for more than forty years, has produced so little fruit that the people are viler at the present day than they ever were before. At first, when we had got rid of the Antichrist, and the convents were put down and the Christian goods were squandered, the Evangel was precious and acceptable. Now, however, that we are free from bondage and the church robbery is at an end, we have grown tired of the Evangel: "A curse devours the land, for it is they who dwell in the land who are the cause of the evil."'[3] 'There is more cursing, swearing, drinking and usury,' wrote, three years earlier, the preacher Hoppenrod, 'than have ever before been seen or heard.'[4]

Marius Mening, superintendent in Bremen, said in 1569: 'While the preachers are raging at each other and tearing each other to pieces, and for ever fabricating new doctrines, the discipline of Church and State is neglected, and the whole world is consequently becoming hypocritical, self-satisfied, epicurean, and licentious; the worst sins and vices, because they have grown into fashions and habits, are regarded as virtues, and

[1] Döllinger, *Reformation*, ii. 261–263. [2] Döllinger, ii. 200–201.
[3] *Schrap-Teufel*, Bl. V. [4] *Wider den Hurenteufel*, Bl. A. 4.

the world scarcely recognises any other sins now but murder and theft. Sins against the other commandments of the first and second tables are thought very lightly of.' [1]

The evangelicals had indeed the pure word of God, said the Protestant theologian, Simon Musaeus, in 1576, but they abused it so scandalously, that the words of Isaiah apply to them: 'Hear the words of the Lord, ye rulers of Sodom, give ear to the law of our God, ye people of Gomorrah . . . when you multiply your prayer I will not hear: for your hands are full of blood' (Isaiah i. 10–15).

Of the present times Christ had said: 'When the Son of Man comes, think ye he will find faith on earth?' 'And it was greatly to be feared that the present sinful conditions in all classes had cried loud to heaven, and that the fierce anger of God had already gone forth.' [2]

'Old and experienced men,' said Caspar Hofmann, professor at Frankfort-on-the-Oder, in 1578, 'spend themselves in sighs and laments, and can scarcely refrain from tears when they think of the uprightness, the religiousness, the order and moral discipline of former times, and see nowadays nothing but iniquity, divisions, and melancholy disorder. They are well aware of what must be the final outcome of all this unbridled anarchy, and fear nothing less than complete barbarism.' 'If we compare the pious, unfeigned love of our fathers and ancestors for religion, their zealous striving after virtue and respectability, with the corruption of our own times, we shall perceive clearly that not only have the character and morals of the people grown worse, but also that scarcely any other period has been so hostile to all religion,

[1] Niedner, *Zeitschr.*, xxxvi. 349. [2] Döllinger, ii. 290.

righteousness, morality, modesty and respectability as ours. Do not the people themselves, terrified at their own vices, yet without wanting to become better, complain everywhere that sin, crime, and scandals of all sorts have reached the highest pitch, that all restraints of shame and godfearingness have been rent asunder, and that the nation is plunging headlong into the lowest depths of degradation?' Our Catholic forbears, said Hofmann, had abundantly provided for the needs of the Church, but all that they had given for the endowment of teachers, students, and all persons needing help, was now used for quite other purposes. In honest simplicity they had clung to their superstition —for as such Hofmann held the Catholic faith—now, however, after the reappearance of the light, each one wanted to make a true religion for himself, and whatever came into his head must be regarded by others as the standard of truth. And so, one after another, acrimonious pamphlets were poured forth in which the writers strove reciprocally to murder each other's good name and honour with poisoned arrows. 'Theologians and preachers themselves disseminate the seed of discord, they are the firebrands of hatred and confusion; they themselves, trusting in the ignorance of the people and the protection of the great, are tearing the Church in pieces, and, if an ambassador from God does not come to put a restraint on their unbridled passions, they will bring theology to the ground. The common populace, incapable of forming an opinion, look up perplexedly at all these numerous sign-posts to heaven, the one pointing this way, the other that, and do not know which road to take; they are confounded by the din of so many different voices. Hence arise divisions

among the people, which mostly end in bitterness and hostility.' Again Hofmann repeats it: 'The result of the theologians' dissensions and of their method of procedure is that they bring on themselves the utmost contempt, forfeit all respect and esteem, and at the same time bring their doctrine, which is judged according to their morals, into disrepute. Thus there arises gradually not merely contempt of, but hatred towards, religion; wild licentiousness spreads among the people, godlessness and epicurean irreligiousness increase, and atheism stands at the door. What think you, then, how far removed are we from complete barbarism?'[1]

John Kuno, pastor at Salzwedel, acknowledged in 1579 that, 'Vice of all sorts is now so common that it is committed without any shame, nay, people even boast of it in sodomitish fashion; the coarsest, the most indecent sins have become virtues, yea verily, the worst iniquities are now thought too slight, people must needs invent fresh ones every day, and hence it comes that so many new diseases have sprung up. As regards adultery, for instance, is it not the actual truth that this sin is now allowed to go unpunished? Who regards common whoredom any longer as a sin?

'As for what is thought about gluttony and drunkenness, what need is there to speak? It has come to this, that this vice is treated as virtue, respectability, and other honourable practices should be treated, viz. rewarded with the highest posts and the best salaries. To such a degree has the world changed and blinded its eyes that now, as through a dark glass, it sees

[1] *De barbarie imminente* (Francof. 1578), A 8 sqq., B 5–8. Döllinger, *Reformation*, ii. 615 ff.

shame as honour, vice as virtue, disreputableness as respectability.' [1]

A few years later another Protestant preacher complained that abominable sins were now everywhere rampant among young and old. Disobedience among the young was especially common and was growing daily worse. The Breslau professor and pastor, Isaiah Heidenreich, in 1581, divided his co-religionists in two classes: the self-satisfied, bad Christians who boasted that they needed no Bible, no sermons, and no church, they had enough light from nature which they guided themselves by; and those who hear God's word indeed, but whose lives are wilful and devilish. Church-going, like the Word of God, had become so distasteful to the Lutherans, that there were numbers of fathers and mothers in the land who, with their households, had not been inside a church for a long time. 'All our energies are directed towards covetousness, pride, drinking, lying and cheating.' [2]

The pastor Joshua Loner, a zealous champion of Calvinism, announced in 1582 that 'God would not any longer be able to withhold His wrath, but that He would soon give this scandalous world its dismissal, for, alas, it was daily seen and experienced that the damnable contempt and persecution of the pure Word of God, gruesome blasphemy, scandalous, sodomitish immorality, together with every other kind of sin and wickedness, were gaining ground terribly; the Christian faith had grown very meagre and decrepit, love had grown cold, had frozen to ice in the hearts of men, and burgher faith and fidelity were also quite rare. Germany, before all other lands, had been blessed by God with the

[1] Döllinger, ii. 525.

[2] *Ibid.* ii. 538.

true knowledge of Christ, but the people had grown sick and weary of the holy evangel.' [1]

'Things grow worse and worse,' it says in a pamphlet of the Breslau pastor, Sigmund Suevus, which appeared in 1584. 'So that we are forced to say:

Bold confidence in sin and shame
With young and old gains ground each day,
Good everywhere has a bad name
And with great crash doth fall away.'

'Here and there, there are still some pious hearts,' says John Schuwardt in his funeral sermon of 1586,[2] 'but scarcely distinguishable among the crowd of others, and if the Lord had not left us this small remnant we had been long ago like unto Sodom and Gomorrha; for there is no soundness besides from the sole of the foot to the crown of the head. Ah me, if men's hearts stood open and one could see into them through a little window, it is much to be feared that a great many could be found, not only among mean and base persons, but also among the high and distinguished ones, who would gladly go back to the papacy in the vain hope of better days, and who would say Amen to the song of the Jesuits.' 'If we went further and began to take stock of the clergy and the laity, we should find more than enough to complain of in all corners of the land. And even if we allow with our prophet Jeremiah: "Go to, the multitude and the populace are without understanding, therefore it is no wonder that they act unrighteously; but the shepherds and the mighty ones will love the way of the Lord and seek to follow his truth," we cannot overlook what he says elsewhere, viz. that even the

[1] Döllinger, ii. 311–312.

[2] Joh. Schuwardt, *Trawrige Klagrede über den Todsfall . . . . Augusti Herzogen zu Sachsen*, 1586.

shepherds and the mighty ones have broken the yoke and torn the ropes. Robbery and theft have long been so common that nobody is afraid of the gallows. We sit, as it were, in the Bohemian forest or on tinder and firewood, so that no one is safe for an hour. In our gardens we can keep nothing, in the fields all is fair prey. In the barns, if one has but threshed for a day, there are those who come fast enough to carry off the spoils. At night scarcely anyone can sleep in safety. By day it is impossible to be sufficiently on the watch. With the rich there is nothing but covetousness and usury, selfishness, overreaching, fraud, hypocrisy, falsity, absence of love, pity and help to the needy and the wretched. With the poor nothing but lying, ingratitude, laziness, defiance, and insolence. Alas, alas, there is not a single beggar scamp who fears God and lives in humility or has a good word for anybody. Those who are clothed by charity in the winter perpetrate the worst injuries on their benefactors in the summer. Alas, my heart bleeds within me at the sight of so much *iniquity*. Who nowadays helps another and enables him to earn a living?' 'God's threats and punishments frighten no one, make no one tremble, the people have brazen foreheads and hearts of stone.'

The young go to ruin in their earliest bloom, said an Ansbach superintendent in 1589. Another preacher the following year said: 'The German fig-tree does not improve in the least, on the contrary, it grows worse and worse; from year to year, from week to week, blight and insects of all sorts gather on it, and its noxiousness cries aloud to heaven.' [1]

'One finds nowadays many people belonging to the

[1] Döllinger, ii. 583, 613 note.

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papacy,' preached the Meissen superintendent Gregory Strigenicius, 'who from youth up have been accustomed to the papal religion, and who will not adopt our religion because there are so many bad people amongst us who lead wicked and scandalous lives. When they are admonished that they ought to forsake the popish abominations and become evangelical, or, as they are wont to call it, Lutheran, they begin to abuse this doctrine most fiercely: "What, am I too to become a Lutheran rascal without morality and honour, without faith, love, and truth? Where can you find worse scoundrels than among these same Lutherans? You find all sorts of superstition and sorcery among them, you hear abominable blasphemy, so much so that it would be no wonder if the earth were to open and swallow up such godless blasphemers. Contempt of preaching is rampant among them; there is no order among them in all classes; they live in anger, envy, hatred and ill-will, whoredom, adultery, debauchery, robbing, usury, lying and cheating, gluttony and drunkenness by day and by night: if this were the true religion of which they boast, they would behave very differently. The fruits are not good, how then can the religion be the right one?" And so they are frightened away from the new religion by the scandalous lives of those who profess it.'[1]

This same preacher said openly: 'We see how the world is falling off in all virtues and in all that is right and Christian, and growing worse and worse. There is no longer any discipline, all sin and wickedness is gaining the upper hand; and one must not utter a word of reproach, the people say they are free and may do as they like. And the ill-advised teachers of our

[1] Strigenicius, *Jonas*, 189.

day have mightily helped on the evil by their cry of "Only believe, only believe, even if you are an adulterer it does not matter."' [1]

Even Bartholomew Ringwalt, a man of cheerful and happy temperament, spoke in accents of despair in 1597 of the condition of things: 'So long,' he said,

> 'As this world doth endure,
> No hope there is of cure.
> For even Christians are aware
> How lamentable matters are,
> And many in village and in town
> All love of life have quite outgrown,
> For goods and chattels little care,
> Wish only in their graves they were.' [2]

'Gluttony and drunkenness, epicurean, swinish living,' wrote at the same date a preacher who had opportunities of observation in the most different parts of Germany, 'become more and more common in towns and villages. People are worse than in the days of Noah and Lot.' The same comparison occurs in a pamphlet of the preacher Valerius Herberger at the beginning of the sixteenth century: 'The world is in a ferment; the sediment is disgusting, the dregs of the world stink worse than dregs of a tanyard, therefore the last day must be at hand.' [3]

A very natural explanation of this state of things within the new Church was given in 1610 by the Wittenberg professor Wolfgang Franz, when he reproached the Lutheran preachers with thinking that they admirably fulfilled their duties as pastors of souls if only they bellowed to the ears of their flock the doctrine of justification by faith alone. The result was that if one examined into the lives of the different classes and

[1] Strigenicius, *Jonas*, 361.
[2] Hoffmann von Fallersleben, v.
[3] Döllinger, ii. 293, 541.

considered their moral behaviour one saw everywhere godlessness, sin and wickedness. 'And yet all these are for ever crying out at the tops of their voices about faith, faith, and nothing but faith.' [1]

Because it is now preached that 'good works do not help to salvation,' wrote at the same date another minister of the 'new evangel,' 'the multitude think they have a perfect right to live just as they like, in voluptuousness, sin and wickedness.' 'Immorality, filthy talk, whoredom, fleecing and grinding, false swearing, fraud and other crimes and vices are now in full swing among us evangelicals, and yet each of us sets up for being a good Christian.' [2]

'When nowadays,' said John Sommer of Zwickau, Protestant pastor at Osterweddingen, in 1614, 'people of an advanced age meet together, conversation generally turns on the great change that has taken place in German lands in manners and customs, religion, dress, in short, in the whole of life, so that if people who died twenty years ago were now to rise from the dead and behold their posterity and descendants, they would not in the least recognise them, but would think they must be people of French, Spanish, Italian, or other nationality, who yet were born in the Fatherland and perhaps never left it. To many people it seems an extraordinary thing that Germany should so rapidly have degenerated in morals and in dress, and should go on deteriorating from day to day.' He intended in his 'Ethnographia Mundi' to depict the new world of to-day in its creeds,

[1] Döllinger, ii. 570.

[2] Caspar Chemlin, *Sieben christliche Predigten* (Giessen, 1611), pp. 34, 38. Chemlin was so incensed against the Catholics that he declared in his sermons that in the Sacrament of the Altar they prayed to 'the incarnate, hellish devil himself': p. 64.

its conduct, its manners and customs, its dress and its morals, in short, in its whole life, and it would not be his fault if he only told of vice and iniquity; he could not write otherwise, for in the present state of the world not virtue, but vices innumerable, had gained the upper hand. 'So I could make no better show than I have done. I have introduced, in my book, Ethicus, who paints all vices in fine colours and covers them with an attractive mantle, but that is not from any intention or desire on my part to exonerate and defend vice, but that I wished thereby to make it clear to everyone how the present-day world lets wickedness go unpunished, and champions it as laudable and right.' 'What if Dedekindus the theologian has described Grobianus as coarseness itself? Must he too be looked upon as a Grobianus? Why should people fall foul of John Fischart because in the eighth chapter of his "Pantagruel" he has presented in undoubtedly obscene language the drunken Litany of all the "Bauchsbrüder"? Must he too be considered an obscene person? Is he to be regarded as a whoremonger or a brothel-keeper because in the fifth chapter he has described brothels as exactly as if he had been in the habit of frequenting them? And shall theologians be denounced as devils because they have written books such as the "Jagteufel," "Saufteufel," "Spielteufel," "Kleiderteufel," and so forth, in short, a whole *Theatrum Diabolorum?* No intelligent person would say this. Therefore, though I offer pretty coarse work for sale, and not always fine yarn, I hope that my work will not be taken as my own measure, but rather as that of the present-day world, as it daily works and spins.' [1]

[1] *Ethnographia Mundi*, Bl. A. ii. 3–4. Concerning Sommer, see present work, vol. xii. 150, 207.

In a description of the conditions in the new Church, written in 1618, the Sangershausen superintendent Pandocheus acknowledges that 'nowadays the world is nine times worse than in the time of Moses.' 'For when has there been greater and more outrageous contempt of God and His ministers and His Holy Word? When was the sin of blasphemy ever so great as now? When has there ever been more harlotry and debauchery flaunting itself as virtue?' and so forth.[1]

The accounts given by Protestant preachers and theologians of the continuous decline in morals and religion since the middle of the sixteenth century contain no exaggerations. Against any assumption that they are overdrawn stands the fact that these accounts proceed from men who had the strongest interest and temptation to paint things in a more favourable light and to hide the true state of things from outsiders, above all, from the opponents of the new Church.[2] But there is no lack also, in all Protestant districts, of other sources, which confirm these accounts of this general demoralisation of the new religionists, and present many crimes still more clearly to sight than do the complaints of the Protestant 'witness-preachers.' From these original sources it comes out, indeed, that a very large portion of the new-religionist preachers were themselves steeped in corruption.

What a demoralising influence the new doctrine had in Pomerania is borne witness to by all the chroniclers

[1] Döllinger, ii. 549.

[2] 'The bitterest experience,' says Döllinger, ii. 693, 'that can befall people who have devoted their whole lives, their undivided energies, to one particular work, is, undoubtedly, to be forced themselves at last to pass a condemnatory judgment on that which stands to all their collective labours in the relation of effect to means. And in such a position the reformers and their immediate successors found themselves placed.'

of this land. In full agreement with Thomas Kantzow, the Stralsund chronicler Berckmann says in 1558: 'Things were, alas, worse than formerly in all classes and professions, in all commerce, in all trade, in every department of life: in short, all was corrupt and ruined throughout the town.'[1] A Pomeranian church ordinance which appeared five years later enjoined on the preachers strict orders to exhort the people earnestly to penitence, 'because among us evangelicals godless living, self-assurance, epicurean contempt of the Word of God and the Sacraments was gaining ground so fearfully and all godliness was dying out in men.'[2] Eleven years later renewed complaints were made in synodal statutes of the general insubordination and the blind godless love of moral licentiousness. Hatred, envy, and hostility were said to be gaining frightful ground in towns and villages among all classes, high and low, among blood-relations, brothers and sisters, so that it was terrible and piteous to see.[3] The Pomeranian chronicler Joachim von Wedel wrote in 1604: family ties are completely loosened. 'All who behold the doings of the world with evangelical hearts must think that it is not men but devils with human forms and faces who live in this manner, and it would be a wonder if the world could last like this for another year.'[4]

[1] Berckmann's *Chronik von Stralsund*, edited by Mohnike and Zober, 152.

[2] Balthasar's *Sammlung zur pommerischen Kirchenhistorie*, i. 130, 180 ff. Richter, *Kirchenordnungen*, ii. 231.

[3] Moser, *Sammlung evangelisch-lutherischer und reformierter Kirchenordnungen*, i. 105. Cf. Döllinger, ii. 665. Concerning religious conditions in Mecklenburg see also Krabbe, *Chytraeus*, 249–252, note. Concerning the terrible amount of cursing in Pomerania, see Spieker, *A. Musculus*, 184.

[4] *Hausbuch*, 457. Concerning the depravity in Prussia, see present work, vol. vii. 305–312.

On the conditions in Mecklenburg the church ordinances and the church inspections in the second half of the sixteenth century throw a most sinister light. All alike speak of the increase of sin and vice of every description. 'Blasphemy,' says an inspectoral protocol of 1558, 'is so universal that the common people revile and slander God's sufferings and wounds, from the highest of them down to the herds behind the cattle and girls behind the swine, when they are driving them out.' A police ordinance of 1562 enjoined the severest punishments against cursers and blasphemers: imprisonment in the first instance, and in case of renewed offences, the pillory or 'loss of certain limbs.' Nineteen years later, however, the inspectors again reported: 'Cursing and swearing are almost universal.' Concerning other transgressions, an inspectoral protocol of 1568 says: 'The sins of open adultery, whoremongery, and immorality are so terribly in vogue that worse examples can scarcely have been found in Sodom and Gomorrha.' The incomes of the religious houses which 'the squires had not yet taken possession of,' were 'swallowed by the peasants in beer.' In the same year the ducal attorney-general, Dr. Behm, wrote: 'Murder has almost become a non-penal offence; bloodshed and adultery, owing to the bribery and intervention of private persons, remain unpunished.' Frequent complaints were raised against the many inefficient and sinful preachers. 'Many members of the clergy,' says an inspectoral protocol of 1568, 'are extremely negligent in their office and boundlessly ignorant; many of them only read printed postils in church, and can scarcely even manage to do this; they are very careless in their mode of life and give their

parishioners great offence by drinking and other irregularities.' A police ordinance of 1572 gave leave to the pastors in the country to brew beer for their households, and moreover, 'for the sake of their office, so that they might have less occasion to go into the taverns, get drunk and shock their parishioners.' Duke Ulrich in 1578 accused the superintendent of Güstrow of having within his circle appointed ignorant, immoral pastors who were guilty of adultery, drunkenness and other vices; for the sake of a meagre honorarium he had been willing to connive at this. The conjugal lives of many of the preachers were attended by evil circumstances; in many cases, also, the couples were minus the necessaries of existence.[1] In the last quarter of the sixteenth century especially, an appalling number of wild, disreputable preachers arose in Mecklenburg, and not a few of them led regular vagabond lives.[2] The people, both in the towns and villages, says a chronicler in 1598, become 'more and more coarse and savage.'[3]

Reports on the conditions in the Brandenburg Mark have a similar ring. 'There was good teaching at that time in Brandenburg,' writes the chronicler Treptow, 'but wicked living with blasphemy, oppression of the poor by taxation by the rulers, and of one neighbour by another. How our Lord God thought fit to punish all this, you, our descendants, will know;

[1] Boll, i. 342 ff., and Lesker, 57 ff. See also *Jahrbücher des Vereins für mecklenburgische Gesch.* (1893), lviii. 51 ff.

[2] So Lisch in *Jahrbücher des Vereins für mecklenburgische Gesch.*, xviii. 159.

[3] Hederich, *Schwerinische Chronik*, Bl. A^3. Testimonies of Rostock theologians concerning the results of the Reformation at the end of the sixteenth century have been collected by Lesker in the *Katholik* (1892), i. 325 ff.

and I wish you herewith better times than we have lived through.'[1] Concerning 'an abominable desecration of corpses,' the Brandenburg inspectoral ordinance of 1573 relates that: 'A great crowd of people or lewd rabble go into the houses where the dead are lying and drink tons of beer, and when they are thoroughly tipsy, they carry on all sorts of iniquity, so that the people of the house, who are already unhappy enough and have scarcely enough to pay for the funeral, are beyond measure distressed.'[2] In spite of all preaching things became no better here. In 1600 the Elector Joachim Frederick complained that 'adultery and whoredom especially were very common among the ministers of the church and the schoolmasters,' and eight years later he exclaimed: 'Good God, how universal murder and whoredom are becoming! Verily God will punish the land.'[3]

In the duchy of Brunswick like conditions were met with. In 1568 Martin Chemnitz, at the head of the clergy, said, in connexion with a scheme for church discipline in Brunswick, that sin and wickedness of all sorts were gaining ground more and more.[4] In 1582 Duke Julius owned that vice was still increasing and prevailed 'not only in the country but also at the court.'[5] A mandate issued by Duke Henry Julius in 1593 against immorality of all sorts, shows how widespread and deep-rooted it was.[6] In 1588 Duke Julius had already insisted that the superintendents should take in hand the official people and others

[1] Gallus, iii. 101. [2] Richter, *Kirchenordnungen*, ii. 379.
[3] Tholuck, *Das kirchliche Leben*, 116. Goltz, *Chronik von Fürstenwalde*, 242.
[4] Lentz, *M. Chemnitz*, 163. [5] Schlegel, ii. 292. [6] *Ibid.* ii. 332.

in authority, and not allow them to go on unpunished in their scandalous lives. At the same time he called on the clergy to think of some method by which the abominable drunkenness of women and preachers might be stopped: 'they sit on and on and drink themselves full of brandy.' Towards the end of the century a greater and greater number of preachers fell victims to this vice. The Consistory named this species of preachers 'the sect of the Aquavitists'; now in the company of squires, now in that of peasants, they would sit over their bottle till they had drunk themselves into a state of imbecility. On the occasion of a church inspection in 1588 it was found that out of thirty preachers scarcely one had had any higher education than could be got at the town school of Göttingen, or Hanover, or Brunswick. In 1571 a former bone-chopper had actually been appointed superintendent at Peine. Many preachers, acting as judges of morality, showed immorality in the exercise of their function. One preacher said from the pulpit that among his congregation 'there was not a single virgin.' Another denounced a Protestant 'Jungfernstift' (home for young women) as a brothel. A third described all the members of his parish as murderers, wolves, and brute beasts. The superintendent at Königslutter, in 1586, preached four whole hours against a journeyman mason, whereupon the latter struck him a blow in his neck with a hammer, which rendered him speechless.[1] Almost innumerable were the complaints on 'breach of promise' cases. Promises of marriage were generally attended by such circumstances as betokened general corruption of morals.[2]

[1] Schlegel, ii. 82, 312-313, 341-343. [2] *Ibid.* ii. 344-345.

A church inspection set on foot in 1582 in the eastern part of the duchy of Weimar, to which at that time the principality of Altenburg belonged, showed that among the clergy who adhered faithfully to the 'pure doctrine,' with only a few exceptions, there was no fault to find, but that among the laity who followed this 'pure doctrine' conditions were in part very reprehensible. In Altenburg complaints were rife of immoderate brandy-drinking and immorality. In the town adultery and whoredom were not tolerated by the council, but in the country round the council fell very short of its duty. At Lucka the pastor complained of his parishioners that their children 'were very negligent in attending the catechising,' also that the weekly sermon was very sparsely attended by the burghers, who were especially hindered from coming to church 'by the excessive number of brandy shops, of which there are more than fourteen in this little town.' Of the deacon Christopher Singel, pastor, council, and parish all complained, 'once more, as they had often done before, very sternly and mercilessly that he not only emptied the girls' school, which he had to superintend, because, owing to his evil, scandalous living, nobody liked to send his children to him, but that he still went on with his gluttony and tippling, and that quite recently he had kept the Polish fiddlers with him in his house till one o'clock at night and had caroused frightfully with them. At last he was so intoxicated that he lay down in the field like a dead sow.' In Treben it was complained that: 'Inordinate drinking, carousing, brandy-selling have become terribly common everywhere, to the great hindrance of the Word of God; it all goes on unchecked

and unpunished and leads to other great iniquity—whoredom and other scandalous sins.' At Gössnitz the pastor complained that 'cursing and outrageous immorality were gaining ground greatly.' In the town of Ronneburg the deacon had to be admonished 'to abstain from immoderate drinking.' 'The tenant of a knight's property near Röpsen carries on revelry and debauchery every day and seldom comes to church and to Communion.' 'At Grossenstein the women folk were able to stand examination, but the old peasant men could scarcely say the Lord's Prayer.' At Rückendorf the pastor complained of Wolf von Weisbach that he was 'almost a heathen'; 'the people stood examination well.' Not so, however, in Linda, where 'the people are much given to sleeping in church.' At Haselbach the pastor, burdened with numerous children, was obliged to earn money by carting away dung. He gave the inhabitants a very bad character; said that they were always abusing and slandering each other, and that in the whole village no two of them were at peace together.[1]

In the county of Diepholz, in 1596 the countess complained bitterly that 'there was such a wild profligate sort of life going on that it would be a wonder if God did not send down punishment, and the innocent would have to suffer with the guilty.'[2] For the county of Hoya a police ordinance decreed that soldiers and youths must put off their swords and spears at weddings, because there were so many cases of murder and bloodshed.[3] In the Osnabrück district of Fürstenau, in

[1] See *Mitteilungen der geschichts- und altertumsforschenden Gesellschaft des Osterlandes*, 11 (Altenburg, 1899), 117 ff.

[2] Schlegel, ii. 402.

[3] Havemann, ii. 862.

the years 1550–1600, according to a register in our possession, there occurred on an average two cases of murder and 120 bloody frays yearly.[1] The Counts of Solms found themselves compelled, on account of 'the terrible increase of immorality,' to strengthen the provincial ordinance which had been issued in 1571 and to decree death by the sword, banishment from the country, the pillory, cutting off of ears, or scourging with rods as punishment, respectively, for the worst forms of immorality.[2]

In the Saxon Electorate, also, attempts were made by means of severe penalties to put a check to the prevalent anarchy and demoralisation, but with what results! In 1557 the Elector Augustus of Saxony complained of the increase of all that was godless. 'In the villages also,' he said, 'it has become the scandalous fashion for peasants at the high festivals, such as Christmas and Whitsuntide, to begin their jollifications on the eve of the festival and to carry them on till morning, either missing the church service altogether or else coming tipsy to church and sleeping all the time like hogs. In some places the peasants desecrate their church, which should be a house of prayer, store the Whitsun beer in it to keep it fresh, and drink it there amid blaspheming and cursing. And they even dare to mock and ridicule the priests and the ministry in the church itself, get up into the pulpit and deliver mock-sermons to excite laughter.' In 1566 the Elector complained anew that 'godless behaviour, of which even heathen folk would be ashamed, had become common among young and old.' A stern mandate was

[1] Möser, *Patriotische Phantasien*, ii. 310.

[2] *Solmsche Gerichts und Landesordnung*, 237–246.

issued against the nocturnal dances organised in Dresden by the court retinue and other nobles, which 'were not unaccompanied by blasphemy and great disorder and rowdyism, to which there was no end.' 'Formerly,' the Elector had already said in an earlier edict, 'dancing took place for the innocent recreation and enjoyment of young people; now, however, both in towns and villages, it was abused to immoral purposes, men appearing naked. Even in public places wild improper dancing went on with very scanty clothing, or even in a state of nudity. In Dresden itself sharp punishment had to be dealt out to persons who confessed to having executed midnight sword-dances on the cemetery, wearing shifts only or nothing at all.' [1]

In Zwickau, in Naumburg and Zeitz[2] things were just the same. Near Leipzig, since 1609, it had been the custom for swarms of beggars to carry on fights in the open field, when some were left dead on the plain; of murderous attacks in the public streets, of violent risings of the populace, the chronicles give reports from various districts.[3] 'Moral corruption,' says an edict of 1610 addressed to the preachers of the Saxon Electorate, 'is now so great in all places, that not only pious men and women, but inanimate nature itself, sighs and groans, and a general upheaval seems to be at hand. For many among your congregations flatter themselves that they are excellent Christians if they only boast of their faith with their lips, and murmur out a few passages about the unspeakable mercy of God, and the grace given to sinners without any

[1] ** Falke, *Kurfürst August*, 331–332.

[2] Cf. under the section 'Kriminalstatistik.'

[3] Tholuck, *Das kirchliche Leben*, 220.

co-operation of their own, although all the time their lives are black with shame and even infamy.' The pastors were therefore enjoined to present the doctrine of grace in such a manner that 'the severity of the law may at the same time be impressed on the hardened and the godless, and they must therefore diligently address themselves to the preaching of penitence.' [1]

The renowned Lutheran theologian and court-preacher to Augustus of Saxony, Nicholas Selnekker († 1592), drew the following sketch of his brothers in office: 'Most of the watchmen are blind; they go about like blind cows, wherever their heart's desires drive them, to whoredom, as formerly among the papists, to drunkenness and sumptuous banquets, such as are usual with our lords; for in the very sins which they should be the first to punish, adultery, drink, and other vices, they themselves stand up to the ears. And so their lives are very far from their teaching, and one scarcely knows where to find a respectable man, be it teacher or pastor, who is not guilty of the worst vices.' [2]

The accounts given by Sebastian Flasch, a native of Mansfeld, of the immorality of Protestant preachers, are enough to make one shudder. In the 'Beweggründen' (determining reasons) with which Flasch defends his return to the Catholic Church (1576), he points out that the Lutheran preachers gave exaggerated reports of the slightest faults and delinquencies of the Catholics, thereby trying to make Catholic doctrine odious, while 'on the contrary, if we are to judge their faith and their religion by their lives and morals, the

[1] Moser, *Sammlung evangelisch-lutherischer und reformierter Kirchenordnungen*, i. 929 ff. [2] Calinich, 7.

true doctrine is nowhere less to be sought for than among them, since it is patent to all that during the short life of their new evangel they have far surpassed the iniquities of the Catholics.' 'For,' Flasch goes on, 'to speak only of voluptuousness, although the preachers are married, they are nevertheless so little satisfied with their conjugal halves, that, as Luther advises, they use their servants and unblushingly assault other men's wives, or exchange their own wives. I write this on certain knowledge gathered in by long experience. I say nothing of what the preachers attempt in confession, at sick calls, at certain banquets. I will only quote the case of one preacher of high position who almost forced me to exchange our wives. Shame forbids to say more.'[1]

The immorality of the preachers was frequently coupled with the grossest ignorance. On the occasion of an inspection in the district of Halle in 1563 a village pastor was found to be holding the belief that there were three Gods. Another was found on an inspection in the Gotha district who knew nothing of the Catechism. To another one Melanchthon put the question: 'Did he read the Decalogue to his peasants?' and the pastor answered that he did not know the author.[2] 'There were perhaps fifty righteous persons left in the whole land of Saxony,' said John Schuwardt in his 'Klagrede' of 1586.[3]

An extraordinary state of demoralisation was revealed by an inspection carried on in the years 1562–1564 in the Magdeburg district. The protocols are

[1] See Räss, *Die Konvertiten*, ii. 261–262. See also present work, vol. x. 113 f.

[2] Arnold, Part II, Book xvi. chap. 14.

[3] See above, p. 100. Concerning the conditions in the Wittenberg University, see present work, vol. vi. 276.

filled with complaints of the coarseness, immorality and ignorance of the people, many of whom did not even know the Ten Commandments; in the town of Calbe there were numbers who did not know how to pray and knew nothing of the resurrection of the dead. Such conditions become comprehensible when one reads the reports of the qualifications of the new-religionist pastors in the Magdeburg district. 'Their ignorance was such that one of them declared that God the Father and the Mother of God were the first person in the godhead. Another pastor, a former tavern servant, confessed that he had married his wife out of a house of ill fame and had thereby brought a poor sinner to repentance. *Iam quaeritur*, whether he had married her out of Christian love or because of her beauty.' [1]

In Hesse also the preachers were far from particular in their choice of their wives. In 1556 the inspectors there were expressly charged to represent to the pastors that 'their wives should be of chaste and respectable conduct, not wine-bibbers and sows.' Ten years later the general synod, in consequence of the continual increase of drunkenness among many of the pastors, decreed that all those who would not mend their ways should be deposed from office and excommunicated. Here, too, 'vagrant preachers who perambulated the land without office and without bread, were by no means rare.' [2]

'All kinds of vice and iniquity,' said the Landgraves William, Louis, Philip, and George in their Church ordinance of 1572, 'are gaining ground more and more.'

[1] Danneil, i. 26, 35–36; ii. 8. Further extracts from this work are given in vol. vii. 291 of the present work.

[2] Heppe, *Kirchengesch.* i. 337, 465–466.

They inveighed against the inordinate, bestial, and unnatural amount of drinking that went on, and the general immorality. 'How enormously,' said they, 'the scandalous sin of adultery is gaining ground is as clear as the daylight, and is sufficiently shown by examples.' Hence they considered the severest punishments imperatively necessary. When a married man committed adultery with a married woman both were to be executed by the sword.[1]

At the general synods special stress was laid on the terrible prevalence of superstition. The superintendent Meier, in 1575, wished the severest penalties to be enforced against sorcery, 'which had of late so gained the upper hand that it ought to be forcibly put down.' Another superintendent, however, said that it was a ticklish matter to proceed against a sorcerer, 'for if you offended these people they might cause you great evil.'[2] The Marburg court procurator, Sauwer, wrote in 1593 that the times were worse than even the time of Juvenal; blasphemy and cursing especially had reached the highest pitch. 'Every day,' he went on, 'so many gruesome, murderous deeds are done, that in the whole course of my life I have never seen so much bloodshed and killing as at the present time, and only for trifling reasons.'[3]

Concerning the pastor Henry Sprenger at Bauerbach, in the district of Amöneburg in the electorate of Hesse, the following report was circulated in 1575 by his superior, the Superintendent Tholde in Frankenberg: 'The Rev. Henry Sprenger brings much odium on himself; it is not necessary to give particulars at full

[1] *Kirchenordnung von* 1572, Bl. A^2, A^5–B^4.

[2] Heppe, *Generalsynoden*, i. 138.

[3] Sauwer, Preface, B. 1–2

length, but on Palm Sunday last year when he administered the Communion to his poor parishioners, he sent for a beer glass from a public-house and gave the poor people the blood of Christ to drink out of it (as though there were no ceremonies in the Church); again, at the high Easter festival, being presumingly short of hosts, he had a *Weck* (a sort of roll) fetched from a baker's, which he sacrilegiously distributed at the Lord's Supper. He is, moreover, a very quarrelsome person, and no other pastor can get on with him. He (the writer of the report) had hoped for improvement, and had let things go for the sake of a peaceful life; now, however, it had come to his certain knowledge that the said reverend gentleman had been found in the Lohnberg forest with a ——'[1]

In the Nassau district the church inspectors complained in 1572 that the clergy were despised, the church goods squandered, blasphemy everywhere prevalent, and no admonitions of any avail.[2] In 1595 William Zepper, professor of theology at Herborn, drew the following sketch of the church conditions in that neighbourhood: 'It is a common thing for the churches to be without preachers, for the people in the towns and villages to be without the necessary instruction in the Word of God, without catechism, sacrament, or discipline, just like sheep without shepherds, or brute beasts who have nothing human about them except their shape. People of the lowest classes, tailors, shoemakers, soldiers,

[1] This report proceeded from the Scholastic in St. Johann in Amöneburg. Henry Sprenger was first suspended by the Superintendent and then deposed by the general Synod at Marburg in 1575. See *Zeitschr. für hessische Gesch.* (Cassel, 1869), New Series, ii. 156. *Katholik* (1892), ii. 423.

[2] See present work, vol. viii. 397.

and even idiots, who can "neither swim nor bathe,"[1] and who have learnt nothing whatever, are stuck up in the pulpits, and so Schwenkfeldians, Mennonites, Libertines, Postellians, even atheists and monsters of the grossest heresies, appear here and there in the churches, as though sent from hell, and the poor people live in no wise better than the cattle. The schools are shamefully neglected, what slight amount of teaching goes on in them is done coldly and mechanically, the churches and school-houses, the colleges, hospitals and infirmaries are on the road to ruin, if not already there.'[2]

Similar fruits were produced by the preaching of the 'new evangel' in the Palatinate. The accounts in the inspectoral reports of this region on the depravity of the people and the ignorance of the preachers are such that they cannot be repeated without violation of all sense of delicacy.[3] How, indeed, could it be otherwise in a land which within a few years had been obliged again and again to change its religion, and which resounded with the venomous calumnies of Calvinist and Lutheran preachers? The religious changes robbed the people of all religion, and they lapsed into a state of semi-brutish savagery.[4]

In Strasburg crime was so frequent that the Council in 1568 built two Schandhäuslein (houses of disgrace) in

[1] An idiom; = dirty fellows.

[2] Döllinger, ii. 644–645 note. [3] So says Wittmann, 69.

[4] See present work, vol. vii. 62 ff., 313, 323; vol. viii. 156, 395 f.; vol. ix. 218. In a letter to Bullinger of September 20, 1568, Ursinus complains of the 'licentia infinita et horribilis divini nominis, ecclesiae doctrinae purioris et sacramentorum profanatio et sub pedibus porcorum et canum conniventibus atque utinam non defendentibus iis, qui prohibere suo loco debebant conculcatio.' God put up with many and great defects and crimes, but 'cum publica et ex professo suscepta illorum approbatio et defensio accedit, solet exardescere nemesis divina.' Sudhoff, 340 note.

which to place those who for the fourth time had been convicted of blasphemy.[1] 'Drunkenness and immorality,' said the preachers in 1576, 'go on increasing in spite of all our exhortations.' 'As a distinguished member of the magistracy himself complains,' says the protocol of a Strasburg Church meeting in 1611, 'from the Schindbrücke down through the whole town there is not a single house which was not found to harbour harlots.'[2] Three years later the town clerk Junt said, with special reference to the Lutheran preachers: 'There is such extravagance in display and dress, and of late such inordinate eating and drinking has become the fashion in this town, that undoubtedly a great judgment and a great upheaval of everything will shortly come about. The pastors nowadays drink and swill shamelessly at all social gatherings and banquets, which can never take place without one or two clergymen being present: they become so tipsy that the one loses his hat, the other his book, and if they did not put their arms through the slit in their wide sleeves they would lose their gowns also. Thus, not long ago, Magister Speccer, pastor of St. Aurelian's, drank eight measures of wine secretly handed in to him, and meanwhile held a beautiful funeral sermon, for which he got twenty-five gulden. Deacon Schiring was carried home dead drunk, &c.'[3]

[1] Silbermann, *Lokalgesch. von Strassburg*, 169, 171.

[2] 'Aus den handschriftlichen Akten des Strassburger Kirchenconventes bei Tholuck,' *Das kirchliche Leben*, 238. In Hamburg, according to Schuppe (*Die ehrbare Hure*, 449), there were 1000 harlots.

[3] Tholuck, *Das kirchliche Leben*, 115–116. It is strange that Reuss (*Justice criminelle*, 185) should write: 'Le 16e siècle fut réellement parmi nous (à Strasbourg) un *âge d'or*, pour la moralité publique et privée. . . .' and p. 192: 'Nous en avons la preuve manifeste dans les statistiques officielles relatant le movement de la population de notre ville . . .

When in 1620 the Strasburg Council ordained a day of universal prayer, the Church convent sent in the answer: 'Preaching fell very hardly on them (the preachers), for in times past they had preached a number of penitential sermons, but not the slightest improvement had resulted from them; all sorts of open scandal and vice was going on; let the authorities help us by seriously punishing the culprits, for sins of impurity are now regarded as good jokes.'[1]

In 1565 Duke Christopher of Würtemberg actually complained to the Provincial that the common people had so little respect for an oath, that it had become a proverb: To swear an oath is as cheap as eating turnips.[2] In a general Rescript of Duke John Frederick of Würtemberg, of 1613, it says: 'It is notorious how the very worst sins and vices, such as contempt of the treasure of God's Word and the Holy Sacraments, cursing and swearing, presumptuous rebellion against order and discipline, mercilessness towards poor and distressed neighbours, abominable immorality, whoredom and villainy, besides other wanton offences, are not diminishing, but gaining more and more headway, rising

De 1581–1670 très peu de naissances illégitimes; 1581: 4; 1583: 6, &c.; en moyenne 1 illégitime sur 90 à 150 légitimes. Par là on peut s'assurer combien la pureté des moeurs devait etre générale à cette époque.' On the other hand, Reuss (p. 179) says that in consequence of the stringent penal enactments numbers of children were put to death. 'Cette sévérité, quelque utile qu'elle fût sous d'autres rapports, avait pourtant le fatal inconvénient d'augmenter le nombre des nouveaux-nés sacrifiés par des filles coupables, desireuses avant tout de supprimer les témoins de leurs faiblesses.' At that time, 'le nombre des enfants illégitimes mis à mort immédiatement après leur naissance, y était proportionnellement bien plus considérable qu'il ne l'est de nos jours.' Whether according to this the 'statistiques officielles' are a 'preuve manifeste' of the moral purity of that period of the 'golden age,' the reader must decide for himself.

[1] Döllinger, ii. 655–656. [2] *Ibid.* 653.

higher and higher and "deluging the land like a sin-flood." '[1]

In the Bayreuth district, in 1564, the pastors complained not only of scanty incomes and tumbledown dwellings, but especially of the savageness and daredevilry of their parishioners. The pastor at Aichig complained that he had been attacked and wounded in the open street, and in addition had been put into gaol and kept there three weeks. The pastor of Zöbern complained that he had been laid in wait for on the road and an attempt had been made to murder him. Another pastor reported that twice he had nearly been beaten to death, and had had to sleep with his wife and child in a cattle shed because his house was quite destroyed. The pastor of Hirschberg describes his abode as follows: 'In the sitting-room there is no oven, no bench, no window, no shutter; in the kitchen no hearth, and no door; the walls of the house have fallen in, the doors of the cellar and bedroom have no keys.'

An edict of the Margrave George Frederick of Ansbach-Bayreuth, dated April 4, 1565, says: 'All former mandates have been useless; blasphemy, cursing and swearing have increased more and more, and even little children commit these sins openly and unpunished. In all districts and parishes drunkenness and other riotous living prevail.' A fresh mandate of September 22, 1572, says: 'No amount of warning and admonition is of any use; blasphemy, whoredom, and adultery are in full swing and practised shamelessly; sorcerers and soothsayers are also multiplying greatly.' The evidence from an inspection held in the same year shows that:

[1] Tholuck, *Das kirchliche Leben*, 224–225.

'The subjects are leading more godless lives than have ever been heard of before.' In 1576, wrote the pastor of Adelhofen, his life had not been safe on account of thieves and wicked scoundrels; six times his shutters and windows had been torn down. 'I am not the only victim of such treatment, for recently many people have been attacked in the same way, the church houses have been broken into and much serious damage done.' The same conditions prevailed almost everywhere in the land. For decades long, gangs of robbers went about with their wives and children, acting as pedlars during the day and at night breaking into houses and carrying off their booty.[1] The state of things became such that in 1582 the Consistory at Bayreuth declared itself against the Gregorian Calendar, because the Day of Judgment was at hand, and therefore a new calendar was no longer wanted; a town ordinance of 1594 begins with the words: 'Now that the world is growing infirm and decrepit it is highly necessary to protect it by a consistorial ordinance.'[2]

A church inspection begun in 1560 in the Nuremberg district disclosed conditions similar to those in other Protestant districts. For instance in Hersbruck: The warden Gabriel Tetzel had seldom, even in Nuremberg, been to the Lord's Supper. Neglect of the Lord's Supper and soothsaying were in great vogue, also predictions of weather, and the wife of the warden at Reicheneck had a great deal to do with soothsayers and gipsies. For ten years no account of almsgiving had been called for. The christening of children was so expensive that

[1] Muck, i. 537, 536–540, 541; ii. 27, 72, 238; iii. 3–4. Concerning the increase of vice, see also ii. 103–105.

[2] Döllinger, ii. 648. Cf. 649 and 651 for the demoralisation of the Protestants in Austria.

nobody would any longer stand sponsor. The pastor Andrew Hegenauer had an excellent character everywhere and was very learned. The Alfelders had a foul character; a miller had actually struck the pastor. The beneficiary of Förrenbach, George Kraus, was also called up; he was an old, contemptible man. The pastor at Happurg, Peter Taig, said that he was so frightened he could not answer a word. He had forgotten himself with his cook. The school there was examined and a great deal of traffic in sorcery was discovered. In Reichenschwand there was a bad pastor, George Lichtenthaler. One man here said: 'When a fellow swears lustily he becomes light-hearted. In the church at Henfenfeld a disgusting picture of a drinking scene was found. In Velden the town clerk was also the sacristan. The pastor Leonard Widmann was thought to be a secret Calvinist because he left out the sign of the cross. It was complained that he never preached about the Catechism twice alike. The place was a regular den of iniquity, especially as regards blasphemy. All, high and low, with the exception of the warden, Caspar Paumgärtner, knew nothing at all. In Lauf the rustics were more industrious and pious than the burghers. The warden, Paulus Lotscher, a good honest man, said he had never seen such an immoral place as Lauf. The cost of christenings was excessive, as the women did not leave off drinking till they no longer knew each other or could address each other by name.'[1]

[1] Siebenkees, *Materialien zur nürnbergischen Gesch.* Bd. I, Stück iv. 235–240. In 1613 the Protestant pastor and professor, Spremberger, in Altdorf, was deposed from his office on account of adultery, 'declared to have forfeited all honour and reputation, imprisoned for four weeks, and then banished to a distance of ten miles.' Knapp, *Das alte Nürnberger Kriminalrecht*, pp. 135, 227.

A frightful picture of the conditions in Augsburg is given in the sermons preached there by M. Volcius and printed in 1615. 'What shall I say,' asks the preacher, 'of all our overweening pride and abominable vanity, by which we have given God cause to send us this punishment of scarcity? So great is our sinning in this respect that we have become a byword, and everywhere people talk about "Augsburg pomp."'

'Great are the world's pride and ostentation, even as great as its want of truth, its greed, its selfishness, its usury and financing, its lying and cheating in every kind and description of human industry; to such a height have these vices risen that they cannot well rise higher,' &c., &c.

'If anyone has only the value of a kreuzer to sell, if possible he makes it up to a batzen, and does not stop to think whether the buyer gets his money's worth or not. Everything must be minutely reckoned up down to the uttermost farthing, and a fellow must have eyes as sharp as a lynx and be always on the watch if he doesn't want to be cheated, and even though they swear by the living God, they will swear falsely about a paltry piece of money,' &c. (the preacher further dilates on the iniquities practised by usurers, forestallers, and so forth).[1]

'Are not all the inns and alehouses,' says the same Augsburg preacher, 'from the first thing in the morning till the last at night, and all night through, full of people who do nothing but gorge and drink and swill, with such screaming and riotous behaviour that respectable people passing along in the streets have enough of it and to spare, and God will surely not put up with it all much longer,' &c.

[1] Volcius, pp. 69, 73, 91, 117–118.

'Poor people who have nothing behind or before them spend their days in drinking. Before the kreuzer has been fully earned, it has already been drunk away in the alehouse.' [1]

Volcius does not ignore the small amount of good still left in Augsburg, but he finds the evil greatly preponderant, especially as regards the moral condition of the town. 'There are still found here, God be praised, some pious, godly, zealous souls who are enemies to all sin and wickedness. But what else can they do than weep, sigh, and complain of all the sin and wickedness that go on in this town?' &c., &c.[2]

Immorality, drunkenness, cursing and swearing are the vices *par excellence* concerning which complaints were loud after the victory of the politico-religious revolution.

Not a few Protestant preachers said out plainly that 'cursing and swearing and blasphemy were far worse among the evangelicals than among the papists,' and had become more common than had ever been heard of before. 'The preacher Charles Seibold in 1578 connected this fact with the plunder of church goods, the confiscation of church revenues and alms, the consequent inevitable dejection and indignation among the poor helpless people.' But whereas, he said, this sin of blasphemy 'was not only common and growing worse and worse among the poor people, but was also in frightful vogue among all classes of evangelicals, it was a sure and certain sign that all real faith in God and Christ, the Lord and Saviour, however much they might talk of it with their lips, was completely rooted out of their hearts,' &c., &c.[3]

[1] Volcius, pp. 66–67. [2] *Ibid.* p. 59.

[3] K. Seibold, *Von Gotteslästern und Fluchen, jetzund in aller Welt gemein.*

Sebastian Franck had already spoken in the same strain. 'There is no longer any conscience as regards sin,' he said, 'because they have persuaded themselves that works profit nothing, and that faith alone saves.' [1]

James Andreae adds his voice to the chorus of complaint. 'A great and terrible sin,' he writes, 'of hitherto unheard-of description and magnitude, has come into vogue, namely blasphemy of God, whereby the name of the Lord is reviled and desecrated in the most scandalous manner. Nothing in the divine being and nature has been left untouched by the most abominable cursing and denunciation from sheer wantonness. The power of God, the healing wounds, the cross, the passion and sufferings of Christ, His holy body, Baptism and Sacraments—all in turn are vilified and abused. . . . This frightful vice is common alike with people of high and low degree, with men and women, young and old, and even with little children, who can scarcely talk: such a state of things was never known in the days of our forefathers.' [2]

The Tübingen professor John George Sigwart said in 1599: 'In former years it was only soldier folk who were ever charged with blaspheming. From these the habit was gradually caught by ship's people and ferrymen, butchers and hunters, hussars and pot-boys, bargees and so forth. Nowadays, however, it has become so common that it is no longer confined to a house, a village, a town, or a county here and there, but has spread over the whole world. Not men only but women also curse and swear; not only the old, but also the young, master and servant, mistress and maid, and even young children, who do not yet know how to pray,'

[1] *Geschichtsbibel*, 250[b], 251[a]. [2] In *Der fünfte Planetenpredigt*, Bl. 181.

&c., &c. 'When anyone does not get exactly what he wants, be it the merest trifle, he utters the most fearful oaths. Many even have become so accustomed to this accursed swearing that even in pleasant conversation with their friends at every three words or so they must needs put in a word of blasphemy.' [1]

'Without any reason,' preached Erasmus Winter at the same date in the Altenburg district, 'from sheer wantonness or temper, often indeed merely from wicked, devilish habit, people curse God in heaven, scold, abuse, revile and calumniate, and by the all-holiest name of God, by the agony, wounds and death of Christ, by the Holy Sacrament, wish their neighbours all that is wicked and bad: this is a common habit among all people, young and old, male and female, high and low, as everybody knows too well,' &c., &c.[2]

Andrew Musculus, also, the General Superintendent of the Mark, pronounced cursing and blasphemy to be special sins of the evangelicals. 'The heathen,' he writes, 'had also their particular forms of swearing and abuse, so too had our forefathers; but to the awful kind of blasphemy that goes on now among all classes, young and old, God has not till these times let the door be opened,' &c., &c.[3]

What Andrew Musculus said was well founded; but the results of the Church revolution spread also into Catholic lands; there too blasphemy of God gained

[1] Sigwart, 124–125. [2] Winter, *Encaenia*, 177, 178b–179.

[3] *Fluchteufel*, Bl. B^4–D^5. In the *Theatrum Diabolorum*, 207, 213. Concerning the increase of blasphemy, especially among the young, see Löhneiss, 264. See also Joh. Kauffung, *Oration von dem erschrecklichen, verfluchten, und teuffelischen Laster der Gotteslästerung*, Marburg, 1593; Regner (Eustachius), *Predigt von der greuliche Sünde der Gotteslästerung*, Tübingen, 1581.

more and more ground.[1] Why, however, the evil was greater among the Protestants is not difficult to understand. Preaching formed the central point of the new worship, and this preaching consisted chiefly in cursing and denouncing as a network of devilish abomination all that the people had hitherto held sacred. If Luther had given the lead in this respect his successors all tried to outdo him. In this way the people were 'religiously stupefied' and actually taught to curse.[2] 'What good could be done when a preacher like Andrew Schoppius complained of and condemned "the devilish cursing that has become so common, that one's hair stands up like a mountain," while at the same time from his pulpit he inveighed with strong oaths and imprecations against the Catholics who from a pope idol and a bishop's larva adopt the character, sign and emblem of the accursed Antichrist (such as *prima tonsura* and *clericatus*), that is to say, allow themselves in the name of God to have their beards and hair shaved off by foul consecrators and their servants, also to have their heads and fingers smeared and anointed, to be hallowed and dressed up in the habit of the scarlet Babylonish whore: they put on red and brown birettas and let themselves be lifted up on a mass altar as on the devil's bridal bed, and go through such like monkey and priest tricks and antics with the devil's crew.' 'Out of pagan unbelief making themselves into mass priests, idiotic gentry, devil's vicars and statholders, accursed monks, nuns, and so forth.'[3]

Added to this were the constant bickerings between the new-religionist theologians and the importation of

[1] See above.

[2] Döllinger speaks very well on this point, ii. 996 ff.

[3] *Triumphus muliebris*, ix. 133.

religious dissensions into daily life. The poor forgot their Catechism and quarrelled and disputed in public-houses as to whether the Musculites or the Praetorians had the true faith, whether one ought to be an accidentalist, whether it could be said 'the devil is the maker of men, pregnant women carry the devil incarnate in their bodies, the putrefying corpse in the grave goes on being actual original sin.' Such discussions not seldom led to blows and bloody heads. Like the waves on a storm-tossed sea one new theological opinion chased another. The people at last did not know what to believe; numbers untold lapsed into mere superstition, others into naked unbelief.[1]

Infidelity and distaste for all positive Church doctrine were more common in the period of the Church split than is generally thought. Luther and Melanchthon's complaints of the contempt in which the Evangel stood point no less to this fact than do the utterances of other contemporaries. As early as 1542, John Brismann said in his 'Trostbrief wider allerlei Aergernis und Trübsal der Christenheit,' printed at Königsberg: 'The Epicureans let their godless, abominable chatter be heard openly, and shamelessly parade their jests and mocking talk about the resurrection of the dead and the future life; they despise the whole of the Scriptures, the Old and the New Testament, and talk quite blasphemously about all the articles of the holy Christian faith.'[2] From Strasburg since 1550 we have to hand a whole series of ordinances, not only against blasphemy, but also against unbelief.[3]

'If we threaten the Epicureans with the Day of

[1] See present work, vol. viii. 146 ff., 178, 385–387; vol. xiii. 9 ff., 85 f.

[2] *Erläutertes Preussen*, iii. 216–217.

[3] Reuss, 243, 253, 256, 257–258, 259–260.

Judgment,' says the Tübingen professor John George Sigwart, 'they answer: They have been preaching about it for a long time, whenever is it coming? We are beginning to think there is nothing in it; meanwhile, we have plenty to do with eating and drinking and getting enough money!' 'If they are threatened with the devil or hell, they say: The devil is not so black and hateful as he is painted; hell is not so hot as the priests pretend. It can't be too bad to be borne, and we shall meet many a good comrade there.' [1]

The pastor James Koler in 1587 published at Wittenberg a treatise to prove the immortality of the soul, because some of his congregation at Berlin declared that the human soul perished with the body. 'It 's an artifice of the devil,' Koler said, 'who now in the old age of the world is doing all he can to put people's consciences to sleep amid all their sin and blasphemy.' [2]

Caspar Hofmann, Professor of Philosophy and Medicine at Frankfort-on-the-Oder, uttered himself as follows in an address, printed in 1578, on the effects on the people of the divisions among the preachers: 'What are the fruits which result from these dissensions and fightings? Those who would command the highest veneration, if they were what their name represents, bring themselves into the deepest contempt: their dignity disappears, their teaching is judged by their conduct, their contentiousness turns the people away from piety and plunges them into strife and dissension. Their minds become perplexed with all sorts of doubts about truths which formerly seemed quite certain to them, and so there is gradually engendered not merely neglect but hatred of religion. Among the populace

[1] Sigwart, 123. [2] Döllinger, ii. 541.

there arises boundless arrogance; godlessness and God-forgetting epicureanism possess their souls, and atheism stands ready at the door, so that we have in reality before our very eyes all that was predicted by the words of our Lord Jesus Christ and of St. Paul.' [1]

'That there exist numbers of Epicureans and nominal Christians,' wrote Ringwalt in 1588, 'who believe little or not at all in heaven or hell, is shown in the first place by the tippling brothers who daily, or whenever they meet, do honour to each other by copious drinking accompanied with such coarse joking and wanton blasphemy that it is appalling to see and hear.' 'Secondly, it is seen in the great land robbers who in such merciless and shameless wise finance, practise usury, fleece and flay, as though there were no God.' 'Thirdly, it is seen and heard in many other sycophants and wanton fellows who, when threatened with eternal damnation, say openly and shamelessly: "What care I for that, it may be so, but wherever I may go I shall find company"; and so forth. Such mocking talk as this is frequently heard nowadays among Christians when heaven or hell is mentioned, as I myself have many a time experienced,' &c., &c.[2]

'In order to gain great credit with men,' it is ironically said in a lampoon of 1594, 'you must not have any fear of the Last Judgment, of the devil and hell-fire, but must regard them all as old wives' fables.' [3]

Another and a special cause of unbelief, according to a tract of 1581, was the constant proclamation

[1] C. Hofmann, *De barbarie imminente*, at Dornarius's, 65–66. See also Guarinoni, 1033–1034.

[2] Wackernagel, 672.

[3] Scheible, *Schaltjahr*, iv. 133.

by the new-religionist preachers of the imminence of the Last Day. 'Many people,' it says, 'make fun of the Last Day, and of all those who preach about it and admonish us to solemn preparation, and say: They have been talking so long about the Last Day, and yet nothing has come of it; what has become of this Day of the Lord?'[1] In order to revive the vanished belief in the last day, and 'at least to preserve the common people as much as possible from the godless, epicurean unbelief that was rampant,' all sorts of startling wonders were reported. The new-religionist preachers regarded the narration of such tales of wonder as a specially suitable means for inciting the people to repentance and reform.[2]

[1] Scheible, iv. 646.

[2] See present work, vol. xii. 229 f., 261. The latest Protestant historian of the Church schism, F. v. Bezold, writes (*Gesch. der deutsch. Reformation* [Berlin, 1890], p. 872): 'But the Reformation itself had lived itself out with the stormy years of the insurrection of the princes, and for Germany there began a period of rest, which, however, was more in the nature of relaxation than of recovered equipoise. For it was an entirely external pause that the dominant political elements had brought to the violent struggle; in the hearts of the masses the passions of the revolution period were only half tamed, or rather they were debased and diverted into foul and petty channels. We may well designate the transition from the eighteenth to the nineteenth century as the period of Germany's deepest degradation. But while these decades of unforgettable political infamy were at the same time relieved by an intellectual blossoming of equally unforgettable splendour, while under the yoke of foreign dominion, an almost miraculous rebirth of the German nation was going on, the closing years of the sixteenth century were leading a politically and intellectually decrepit, morally depraved, dogmatically petrified generation to an almost unparalleled abyss of ruin.' 'The much abused Janssen,' says a writer in the *Histor.-polit. Bl.* (vol. cxiii. p. 137), 'has never judged the Reformation more severely than Professor v. Bezold, so much eulogised in Protestant newspapers. Between Janssen and Bezold, however, there is this difference, that Bezold is inconsistent, and almost in the same breath exalts up to heaven that which just before he had condemned.'

CHAPTER II

INCREASE OF CRIME—CRIMINAL JUSTICE [1]

A MELANCHOLY proof of how 'savage and bestial' the life of the nation became after the disturbance of religious unity is seen in the increase of crime, especially of moral transgressions.

Already at the close of the Middle Ages fleshly sins had spread enormously in Germany; but in the century of the Church schism things came to such a pitch that next to drunkenness, immorality was reckoned 'the greatest German vice.' 'Sodom and Gomorrha, even the Venusberg, are child's play compared to the immorality of the present day,' wrote the General Superintendent of the Mark, Andrew Musculus.[2] A degenerate art, a literature of shame and infamy,[3] are disseminating vice all over the empire and poisoning all classes of society. What excellently informed contemporaries, as, for instance, Hippolytus Guarinoni, say in this respect about the Catholic portion of the empire is certainly strong, but it is far exceeded by that which the new religionists themselves tell of the conditions in their own camp. That corruption here had reached an altogether unheard-of height was the

[1] Written by the Editor. [2] See present work, vol. vii. 298 f.

[3] See present work, vol. xi. 207-241, 341-358, 362-391, and vol. xii. 36-54, 110-141, 167-184, 185-227, 228-277, 278-386.

necessary result of the doctrines promulgated by Luther about chastity and marriage.

With all plainness Luther had declared that the sexual impulse absolutely required satisfaction, therefore a man's will was not free; he had no right to take vows of chastity, he must have a wife. 'As little as it is in my own power, or rests with me to be a man, so little does it rest with me to be without a wife, and *vice versa*.' Luther not only robbed marriage of its sacramental character, but also declared it to be a purely outward, carnal union, which had nothing whatever to do with religion and church. He advocated the abolition of the command against intermarriage between Christians, Jews and heathen, and taught that polygamy was allowed by the Scriptures, and was only sinful because Christians 'were obliged also to renounce things permitted.' He did not scruple 'to give permission to some to satisfy their desires outside marriage, when they were not married, in order to give relief to natural feelings which they could not resist.'[1] Philip Melanchthon went even further than Luther in his views on polygamy. In a memorandum which he drew up concerning the matrimonial proceedings of Henry VIII of England, he openly encouraged this monarch in polygamy. In a treatise written in 1541 at the suggestion of the Landgrave Philip of Hesse, the preacher Lenning said that the command against polygamy was based on a false understanding of Holy

[1] See Hagen, *Deutschlands literarische und religiöse Verhältnisse*, i. 233–234. Hagen adds: 'This view of marriage is almost the same as that which was held in antiquity, and which later on came up again in the French revolution.' Further proofs of what has been said above will be found in Janssen's *Ein zweites Wort an meine Kritiker* (17 u. 18 Tausend), 94 ff., and *Histor.-polit. Bl.* xi. 412 ff.

Scripture, and on papistical coercion: it was no sin to have several wives.[1]

What must be the inevitable results of such teaching on the moral life of the people, the leaders of the new religionists soon found out. No portion of the country, no rank of society escaped moral corruption: the foundation of human society—marriage—was tottering to its fall.

As early as 1528 the Ulm reformer Conrad Sam complained that: 'Immorality and adultery are quite common all over the world; one individual misleads the other, it is no longer considered any sin or disgrace, and people boast of the villainy they commit.' Sam, who since 1524 had acted as evangelical preacher at Ulm, by no means exaggerated. It is enough in this respect to refer to a resolution of the Ulm Council of 1527, which enjoins the keepers of brothels no longer to admit boys of twelve to fourteen.[2] At Augsburg the preacher Caspar Huberin in 1531 was in despair at the conditions brought about by the religious innovations. 'Whoredom,' he wrote, 'has become very common and is allowed to go on unpunished. . . .'[3]

The moral corruption of the period was too much even for the painter of 'shame and nudity,' Nicholas Manuel:

> Ehebruch ist jetzund so gemein,
> Niemand seins Weibs gelebt allein.
> . . . . . .
> Das Hurenleben geht empor
> Ja in der Stadt und zunächst davor,
> Und die kaum noch sind halb gewachsen,
> Die treiben Mutwill auf der Gassen.

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[1] See present work, vol. iv. 99, n. 2, and vol. vi. 127 ff.

[2] Kriegk, *Bürgertum*, ii. 217.

[3] Döllinger, ii. 578.

So sind es Huren überall,
Und ist derselben dazu kein Zahl,
Der gleichen Schand ist jetzt so viel,
Dass niemand haben mag der Weil,
Davon zu singen oder zu sagen.[1]

Concerning contempt of the conjugal estate Luther had already complained repeatedly. 'Nevertheless, we see how the young fry and the populace curse marriage as a hard and intolerable existence, and always prefer a free and unfettered life to the restraint, discipline, and virtues of married life. But time will bring with it punishment all too heavy.'[2]

Spangenberg also found himself compelled to own the same: 'Matrimony is despised and abused by almost everyone all over the world, and many even who call themselves Christians think less of it than do the heathen.' As standing gibes against marriage he quotes the following: 'Fool, take a wife, and your pleasure 's at an end.' 'Marriage: short joy, long misery.' 'A husband has two happy days, his wedding day, and the day when his wife dies.' 'Life without a wife is the best life.' 'Good cheer is half of life; fool, beware and take no wife.' 'Always woe and seldom good, in marriage is the daily food.' 'Of such villainous maxims, which the devil invents and scatters about through his accursed agents in order to throw contempt on marriage, the world is abundantly full.'[3]

Many of the preachers waged special war against the immoral dancing that was in vogue. The Frankfort preacher Melchior Ambach in 1543 wrote a denunciatory sermon against the 'mad, rollicking, riotous, raging,

[1] Grüneisen, 442–443. Concerning Manuel see present work, vol. xi. 49 f., 234, and vol. xii. 39–47, 155 f.

[2] Collected Works, Frankfort edition, iii. 513. [3] *Ehespiegel*, 33.

wanton, immoral, lascivious, whorish, and hellish dances so commonly indulged in by improper women.' He described all that went on at these shameless dances, and in spite of his otherwise blind zeal against the papists, to whom 'the Evangel had not been proclaimed,' he said: 'Oh, what fine evangelical Christians we are! In the morning and evening we go to the Lord's Table, and in the afternoon we company with the world and the devil in dancing, gambling, and drinking far more immorally and frivolously than those who know nothing of God and His Evangel. And thus by our wicked and scandalous living the holy Evangel is brought into disgrace over all the world.' 'After having heard the Evangel over and over again we are more perverse, frivolous, and immoral than those who have never heard it in its purity and plainness. It has been frequently seen how God strikes and throws down the dancers and prostitutes in the dancing-rooms, but some are so blind and obdurate that they will actually say at the time of death: "If I could only have first danced to my heart's content I would then gladly die."' [1]

Against Ambach's well-founded pamphlet James Patz, preacher at Neustadt, in accordance with the contentious spirit of the age, came forward with fierce invective and called Ambach a fool and an anabaptist, so that the latter was driven in 1545 to the writing of a 'Wahrhaftige Verantwortung.'

That Ambach's statements were throughout justifiable is shown by numerous utterances of other contemporaries. The contributions of another preacher in

[1] *Vom Tantzem, Urtheil aus heiliger Schrift und den alten christlichen Lerern gestellt durch M. Melchior Ambach*, preacher at Frankfort (Frankfort-on-the-Maine, 1543), Bl. B. 1–D. 3[b].

1567 to the 'Tanzteufel' give appalling glimpses into the depravity of the times; in this publication there are descriptions of scandalous dances in which women and girls twirled their skirts up above their girdles and over their heads. The preacher said he had often preached against them till he was quite ill, but all in vain; in the villages especially everybody flocked to these rollicking dances, 'to their devil's pilgrimage, as our fathers of old flocked to the shrines of their saints.' [1]

Amusements of this sort explain Osiander's complaint: 'Whoredom and adultery are common everywhere, and, alas, all too much left unpunished; hence results the unchristian abomination that wives and daughters are the least safe in the company of blood-relations by whom their honour and chastity ought to be the most respected.' Osiander's colleague Link says: 'In our day the sins of unchastity are mocked and laughed at.' [2]

From Ravensberg comes the report that married pairs agreed to exchange partners for a few nights. The Council exiled them for several years.

From Nürnberg we have a series of conciliar decrees, since 1524, issued against such people who have more than one wife. Later on (in 1540) Hans Sachs complained that immorality had increased more and more: the streets were full of improper women; nobody had any shame; immorality had come to be a matter

[1] *Theatrum Diabolorum*, 219b, 220, 221, 222; see further Winter, *Encaenia*, 14b–15; *Nürnberger Verordnungen*, against licentious dancing in Siebenkees, *Materialien*, i. 172 ff. A dance which took place at a wedding in high life at Augsburg in 1575, is described by H. v. Schweinichen, *Leben und Abenteuer*, i. 155. See also our statements, vol. xi. 301.

[2] Döllinger, ii. 434–435.

to boast of.[1] In other places also polygamy was by no means confined to the Anabaptists. In Schweidnitz in 1558, Bastian Maurer, a tailor, was put to death by the sword for having two wives. In the same place in 1560, on April 20, an old man of seventy-two was beheaded because he had two wedded wives, had given himself out as a treasure-digger, and committed adultery with two young women, sisters, at Faulbrück, whom, according to his account, he had employed as mirrors for his treasure digging.[2]

From the little town of Hetstädt it was reported: 'In 1564, on September 16, Hans Scheite was publicly scourged for having married another woman in the lifetime of his wife. In 1571 Paul Rammolter was beheaded because he had kept two wives, one at Hetstädt, the other at Bühren in the Kelbra district.'[3] In Thorn also, polygamy was not of rare occurrence, so that in 1589 the magistrate issued the injunction that 'nobody must have two wives at the same time, on penalty of decapitation.'

The Zwickauers, soon after the religious innovation, had built a special prison for adulterers. It was not used very long, however, because, as the chronicler Wilhelmi said, 'there were too many jacks of this sort.'[4]

An old Lutheran hymn runs as follows:

Die fünft Kunst ist gemeine,
Ist Ehebruch, Unkeuschheit;
Das kann jetzt Gross und Kleine,
Hat man jetzund Bescheid.

[1] Döllinger, ii. 443. For Hans Sachs see present work, vol. xii. 322 f., 326.

[2] Vulpius, viii. 393, 394.

[3] Hoppenrod, *Bericht von Hetstädt*, in Schöttgen und Kreysig, *Dipl. Nachl.* Part 5, pp. 144, 145.

[4] Döllinger, ii. 446.

Man schämt sich auch nichts mehre
Man hält 's gar für ein Ehre,
Niemand tut es fast wehren,
Welcher 's jetzt treibet viel,
Will seyn im bessten Spiel.

In agreement with the above lines, Sarcerius complained in 1554 that 'the young were now so besmirched with immorality that they knew more about it than did the oldest people in former days.' The Ratisbon preacher Waldner spoke also to the same effect: 'A girl or boy of ten years old knows more of villainy nowadays than formerly people of sixty knew; hence there is no end to adultery and immorality.'[1] At the Hessian General Synod of 1569, the Superintendent of Allendorf said: 'Immorality is nowadays considered "good form" and adultery is quite the order of the day.'[2]

'Gruesome vices,' says a pamphlet of the preacher Hoppenrod which appeared in 1565, 'Sodomitish profligacy and whoredom are rampant, and these vices are no longer regarded as sins, but are boasted of as deeds of gallantry.' A chief reason of this growing abomination was the neglect of child discipline, which 'was very common in all the world.' 'When their children are young and uneducated parents let them run about together morning and evening quite naked, so that in their earliest years they lose all sense of shame and decency.'

Children are taught immoral songs, rhymes, and

[1] Döllinger, ii. 435–436, 448.

[2] Heppe, *Hessische Generalsynoden*, 57; cf. 75, 77. John Pistorius wrote on the 29th September 1569 to Philip of Hesse: 'Intellexi corruisse plane disciplinam ecclesiae, ita ut ibi (in dioecesi Ziegenhayna) regnent vitia non toleranda, praesertim in commixtionibus ante copulationem publicam in ecclesia et adulteriis.' Niedner, *Zeitschr. für histor. Theol.* xxix. 230 note.

fables, and nothing is hidden from them. The sons are allowed to haunt brothels; at home all sense of decency in dress is dead. The ruling authorities also were greatly to blame. 'Houses of shame were allowed to exist and encouraged in every way, and kept in a better state of repair than schools and churches.'[1] K. Goldwurm, in his pamphlet 'Wunderzeichen,' published in 1567, says: 'Although we know that whoredom, scandal, and vice existed in ancient times among godless people, we find nevertheless that these iniquities have greatly increased in these latter days, and that they are now no longer treated as sin, but on the contrary are boasted of.' 'Almost the whole world, with the exception of a few godfearing people, is sunk in sin and wickedness of this sort, and no remedy is of any avail.'[2]

In the Brunswick district the superintendent Christopher Fischer complained in 1573: 'Immorality and adultery are, alas, becoming so common that they are no longer regarded as sin.' Seven years later Conrad Porta wrote in his 'Jungfrauenspiegel': 'The troubling and ensnaring of consciences by the rubbish of the unholy pope has now succumbed in most places under the light of the evangel; but the devil, that never-daunted spirit of a thousand wiles and artifices, has not yet ceased work, but just as in other classes purified by the evangel he comes back with seven worse spirits, so too is he doing now among the young unmarried women.'[3]

At Klagenfurt in 1583 the preacher sent in a complaint to the magistrate to the effect that 'immorality

[1] *Wider den Hurenteufel*, B., C.[2], C.[7], D.[2].

[2] K. Goldwurm, *Wunderzeichen* (Frankfort a. M., 1567), Bl. 96[a].

[3] Döllinger, ii. 432.

had gained ground to such an extent in his small parish that at the present moment there no less than twenty-one spinsters were in a state of pregnancy.' [1]

Concerning the little land of Dithmarsch, the chronicler Neocorus, since 1590 preacher at Büsum, reports: 'It is notorious that adultery and immorality are gaining more and more ground.' In Wesslingburen, in Catholic times called Marienland on account of its chastity and order, during one carnival forty young girls were violated; in the parish of Meldorp within a year, twenty-six; in Barrelt twenty-two; in Lunden sixteen. In Catholic times, 1300 people went one Easter day at Lunden to the Holy Sacrament; now it is held everywhere in contempt. 'Ah God, what zeal there was for the Word of God under the darkness of the papacy! Where now, in the light of the Evangel, where is there any such zeal? Where are the hearts of the people? We are sick of and satiated with the Word of God; we loathe the holy pilgrimage to the Sacrament.' [2]

By means of the severest punishments the rulers strove to stem the growing corruption. This activity of the different territories in the department of criminal justice affords the best proof of the decay of religion and morality. While in the main the several local laws reproduced the criminal code of Charles V (for the empire), we find later both imperial and local intensified edicts against blasphemy and witchcraft, the so-called crimes of the flesh, such as adultery, incest, and bigamy, as also against duelling and suicide.

The new provincial ordinance of Duke Maurice of

[1] Hurter, i. 552.

[2] Neocorus, i. 410, and ii. 361, 428; cf. Döllinger, ii. 450.

Saxony in 1543 decreed that: Adultery in men or women shall be punished with the sword.[1]

In Spires, 'in the sixteenth century, in spite of the Draconian punishments with which the Carolina threatened this crime—perhaps, indeed, in consequence of them—trials for infant murder became alarmingly frequent. As in Spires the "opportunity of water" was plentifully at hand, the council generally pronounced the milder sentence of "drowning," often in opposition to the procurators, who for the most part took a severer standpoint and proposed impalement, with or without pinching and tearing with tongs.'[2]

In Würtemberg in 1586, adultery, whoredom, and immorality 'had increased so enormously that such iniquitous behaviour was scarcely regarded as sinful, or at any rate as very slightly so.' It became therefore necessary to intensify the punishment for these offences. A mandate of Duke Louis of May 21, 1586, respecting punishment of fleshly crimes decreed that, 'not only were persons guilty of rape and incest to be punished with death, but also those who had committed adultery a second time: the man was to be beheaded, the woman drowned.'[3] Duke John Adolphus of Schleswig-Holstein endeavoured in 1592 to put a stop to the appalling growth of immorality by the punishments of public scourging and banishment.[4]

Henry Julius, Duke of Brunswick, issued, January 3, 1593, a very severe mandate, because 'adultery and

[1] *Codex Augusteus*, i. 19. Renewed on September 30, 1609 (pp. 147–150). In Spires incest seems 'as a rule to have been punished with death.' Harster, *Das Strafrecht der freie Reichstadt Speier.*

[2] Harster, p. 152.

[3] Reyscher, iv. 433–450; cf. Sattler, v. 102.

[4] Köhler, vii. 260.

immorality were so terribly in vogue, and the punishments hitherto inflicted were little heeded: adultery, incest and rape were all to be punished with death: for other sins against morality the following penalties were ordained: confinement in the tower, the stocks, making known the crime to the sound of cymbals, the pillory, banishment; but, in especial, if such whoredom be committed in convents or churches, or in our castles, both men and women shall be put to death by the sword.'[1] But even the severest punishments were of no avail. How, indeed, could things have become better when the new-religionist princes were continually setting the worst example to the people,[2] and the preachers also to a great extent lived immorally? In a Brandenburg edict of 1600, for instance, we read: 'We have received information that adultery and whoredom have become very common among the pastors and the church and school officials.'[3] A mandate issued three years later by the Elector Joachim Friedrich says that, 'Many people no longer think it sinful to live with concubines

[1] Brunswick-Lüneburg *Landesordnungen*, iv. Kap. viii. 49–52.

[2] See below, pp. 232 ff., 237 ff., 251 ff. The examples cited here might easily be multiplied. Of the Count George, whose piety and zeal Heyd (*Ulrich Herzog von Württemberg*, iii. 144 ff.) praises in the extreme, the Basle Protestant preacher Joh. Gast tells a scandalous tale in his diary: 'In 1548 Count George, on a visit to Basle, was caught at night by the watchmen with the wife of Sebastian Hasen. This woman was of ripe age, had been a nun under the papacy and taken the vow of chastity. The Count is said to have remarked to the watchmen: "It is not becoming to seize a prince in this manner." But they answered: "It is not a prince we have seized, but a vulgar fellow who, under cover of the Evangel, has dared to outrage this good matron. Why don't you marry? You know that impurity is against the law of God, and that the impure, whoever they be, deserve naught but disgrace."' Gast, *Tagebuch*, published by Buxtorf-Falkeisen (Basle, 1856), p. 63. *Ib.* p. 88, details on the shameful behaviour of Frederick III of Liegnitz in Basle in 1551.

[3] Mylius, i. Abt. i. 350.

and other loose women and to breed children by them: sin and wickedness of this sort, in which the people are submerged, ought to be stopped by the severest measures.' [1]

As ineffectual as all the penal mandates were the attempts made in the sixteenth century in most of the towns to abolish houses of ill-fame. There was, for the most part, little deep moral impulse in the movement, which was a mere outward demonstration,[2] and brought

[1] Mylius, i. Abt. ii. 31.

[2] So says Döllinger, ii. 434. It must here be recognised that Luther had already, since 1520, been clamouring loudly for the abolition of brothels. But we must not for this reason regard the abolition of these houses in general as the result of the religious innovation. Schlager (*Wiener Skizzen*, v. 390) says: 'The first steps towards the abolition of brothels were taken in Austria and Bavaria.' Kriegk (ii. 329 ff.) is not quite free from the prejudice that brothels were abolished by, and because of, the Reformation; yet he grants: 1. That the abolition had begun before the Reformation; 2. That the chief cause was the fear of syphilis. That among the Protestants, also, in many places, brothels were kept is shown, among other proofs, by the following outburst of the Frankfort preacher, Melchior Ambach, in 1551: 'What have you evangelical gentlemen got to say to the fact that you keep public harlot houses and harlot schools in your territories, and, like very heathen, allow whoredom to go on shamelessly in your towns and villages? Not only do you not punish this iniquity, but you sanction, encourage, protect brothels for the common benefit, and visit and cherish their inmates as dear sons and daughters, exhorting them to be of good behaviour. Yea, verily, what is still more devilish, when the poor prostitutes sometimes would gladly give up their disreputable mode of living, they are forbidden to do so and forced to stay on. And to this you evangelical gentlemen give your help. Who is here the chief brothel-keeper?' Ambach, *Klage*, Bl. C. 3^{b}. See also above, p. 143, the complaints of Hoppenrod. 'Nothing seems more plausible,' says Rudeck, 'than to attribute the abolition of the brothel-houses to the moral force of the German Reformation, all the more so as Luther and the rest of the reformers are known to have worked most energetically towards this end. And, as a matter of fact, most of the historians of civilisation have regarded the advent of the new religion as the decisive influence in this respect. Nevertheless, according to evidence now at hand, it can be said with some degree of certainty that it was exclusively weighty material reasons

little amelioration in the condition of things,[1] on the contrary, the nearer the century drew to its close the worse they became. The truth of the lines written in 1596—

> Lies, drinking, shame, dishonesty, disgrace,
> Are lords in every land, in every place.

—is confirmed by all observers.[2]

John Rodius, preacher at Bischleben in Thuringia, said in 1583: 'Some time ago the common brothel-houses were all put down, and rightly so, but nowadays every village tavern is a brothel, and all the copses and hedges are full of harlots.'[3]

A pamphlet of William Alardus, published in 1605, tells a like tale of iniquity: 'Immorality, adultery,

which brought about the result.' These reasons were, first and foremost, the dread of syphilis, which at that period was causing enormous ravages in Germany; secondly, financial failure arising out of the diminished number of visitors. The 'Rotschilt' in Altenburg was closed in 1525, because its revenue had constantly decreased since 1505 and attained zero in 1524. In Albertinian Saxony the houses were closed without intervention of the authorities. It is also noteworthy that the complaints of female brothel-keepers, against unauthorised street prostitutes and their assaults on them, all fall in the beginning of the sixteenth century. 'Without doubt it was syphilis which both withdrew customers from brothels and moved the authorities to close them. In Würzburg, for instance, the Common House was turned into a hospital for venereal diseases; similar experiences hastened the downfall of other houses of ill-fame. As soon as syphilis assumed milder forms the "English sweating sickness" set in (1529), which in Danzig alone made 3000 victims. Since the thirties of the sixteenth century epidemics hardly ever ceased: their prevalence no doubt contributed to the disappearance of the Common Houses. Be this, however, as it may, it is quite certain that a greater sense of chastity had nothing to do with their closure: we know that the burghers resented and resisted it' (Rudeck, *Geschichte der öffentlichen Sittlichkeit in Deutschland*, passim).

[1] See the *Zimmerische Chronik*, ii. 128, 561–562.

[2] See Frischlin's *Deutsche Dichtungen*, 173.

[3] J. Rodius, *Von Pestilentz und Sterbensläuften* (Erfurt, 1583), p. 53[b].

debauchery, and depravity of all sorts have become so common that many people do not regard these things as sin. It is just as Jeremiah says, chap. v.: "When I had fed them to the full, they then committed adultery, and assembled themselves by troops in the harlots' houses. They were as fed horses in the morning: every one neighed after his neighbour's wife."'[1]

Erasmus Grüninger says at the same date: 'It is no new or uncommon thing among our people to boast to others at public meals or banquets of all their villainous practices, their whoredoms, murders, bloodshed, fraud, usury, trickery, and other such sinister doings, as if they had done something very fine and praiseworthy.' 'Adultery is now a common transgression. People are not ashamed of it, they talk and even laugh about it openly.' 'Some amongst us think it an impossibility that these vices can ever be abolished, because they have gained ground so terribly and have grown into fixed and general habits.' 'In our duchy of Würtemberg whoredom was formerly something rare and unusual, but now it is so common that people are no longer ashamed of it, and this sort wears finer clothes, jewels, and ornaments than other folk.'[2]

'We all undeniably serve the flesh and its lusts,' said, in 1607, the North German educationalist and preacher Otto Casmann, 'and most of us take the Evangel as a cloak, in order to sin all the more shamelessly. Insatiable gluttony, and unparalleled sensuality, fierce passions and excesses of all sorts rage everywhere nowadays. Meanwhile we see the evangelical theologians and

[1] Alardus, *Panacea Sacra*, B. 3. Complaints of growing immorality in Nuremberg occur in v. Soden, *Kriegs- und Sittengesch.* i. 302.

[2] Grüninger, 10, 17, 29, 35–36.

preachers either wasting their energies over unworthy and absurd trifles, in fierce strife and disgraceful contention among each other, or else sunk in voluptuous living, lounging idly about and joining company with the worst set in immorality, drunkenness, and so forth. Oh what sins of blind, carnal lust does one not see nowadays! Whoredom is no longer regarded as a sin, and people do not scruple to defend it openly. Adultery has become a joke and an entertainment, and adulterers stand up before the public in law-courts, in council-houses, in theological chairs. If only the line might be drawn at letting people tainted with the awful sin of sodomy be presidents of Christian churches and supreme lords over religion and faith!'[1]

Amid the general prevalence of immorality, thieving, robbery, murder, and incendiarism, suicide and ruthless attacks on the common welfare gained ground in an appalling manner, and so, especially, did crime committed by youthful evil-doers.[2] Just as the superstitious

[1] Döllinger, ii. 620.

[2] Ludwig Gilhausen in his pamphlet *Arbor iudiciaria criminalis* (Frankfort, 1614) speaks in a very noteworthy manner concerning the increase of criminal cases. 'For two reasons,' he says in the preface, 'I have taken on myself the burden of editing this work, although my shoulders are not fitted to it. First, because in our corrupt century, close to the end of time, crime of all sorts has so gained the upper hand and become so common, that one cannot sufficiently bewail it. For what shall I say of the crime against the divine Majesty, blasphemy against God? All god-fearing people must confess that this crime is now so common that even the children in the street who can scarcely speak, utter fearful oaths, imprecations, and blasphemies. Of the more adult transgressors I cannot bring myself to speak. Were the punishments which the righteous God ordained in the old covenant against this sin still in use, all the stones of the town would not suffice to inflict on these blasphemers the pelting that they deserve. And what of crime against the earthly majesty? Is not this also as frequent and widespread? To our prince [the Landgrave of Hesse, to whom the preface is addressed]

character of the period gave petty thieves opportunity and pretext for the grossest extortion, so, too, it stamped on crime in general the character of the demoniacal. Seldom had the art of mixing poisons, coupled with the wildest superstitious formulæ, flourished as it did in those days. Magic drinks, magic spells, incantations, imprecations, invocations of the devil, contracts with the devil play an enormous part in the criminal deeds undertaken against the bodies and lives of others. Like voluptuousness, the cruelty closely related to it appears in more and more brutal and abhorrent forms. The popular imagination, inflamed with tales, pictures of hobgoblins and devils, did not stop at the mere contemplation of these horrors, but took them into their lives, and, at the same time, invested sin and vice with the character of the diabolical and the brutish. The criminal statistics of those times produce often an

this is only too well known, and assuredly he complains not a little about it. How frequently insurrection and rebellion of the subjects against their rulers occur, books of history show plainly in many passages. To give many details about robbery and plunder is not necessary, for such numerous and inhumanly cruel cases of depredation, murder, plunder, &c. occur everywhere (except in Hesse), that evidence in superfluity will be furnished to posterity. Cases of robbery are very numerous nowadays. It not seldom happens in towns where there are great commercial depôts that whole bands of thieves are caught and hanged. The proof of this lies in personal experience, and can be obtained in our immediate neighbourhood. Suits against defamation of character flood the law-courts. Scoundrels from the dregs of the populace revile and slander others without shame or scruple, not only such people as formerly had enjoyed a good name and reputation, but they defame and mangle with the blackest lies and vilifications those who are perfectly innocent. Other transgressions, for brevity's sake, I prefer to pass over in silence.' Cyr. Spangenberg, *Historia von der flechtenden Kranckheit der Pestilentz* (without locality, 1552), says: 'Murder and bloodshed, together with robbery and plundering, have increased so enormously that it would be too much even for the Turks.'

impression of horror and disgust: the contrast with the earlier Catholic period stands out in a startling manner.

In Stralsund the overthrow of the old church system and the introduction of the new doctrine was accompanied with unspeakable horrors. The preachers appointed by the council, in their sermons against the Pope, branded the bishops and all the clergy, the monks and the nuns, as wolves, deceivers, and criminals, and called on the people to rid the town wholesale of all the clergy, and to wash their hands in their blood. In a public carnival play, not the Pope only, but the Emperor, and even the Saviour, were made objects of ridicule. When a priest (October 10, 1524) in St. Nicholas's church exhorted the people to obedience towards the clerical and lay authorities, they tore him down from the pulpit, dragged him to the market, and there gave him such a thrashing 'that he bled like a slaughtered pig.' This happened in the presence of most of the council. There were also many members of the council present when another clergyman in the church of St. Nicholas was so badly wounded by the town-beadle and the hangman that 'he bled a whole kettleful of blood in the church.' A reading-master in the convent of St. Catherine was almost strangled. The women in the nunneries were exposed to the vilest persecutions. The nuns of St. Bridget were pelted with mud and stones during divine service, called 'whores of heaven' by the preachers, and at last forcibly ejected. At the instigation of the preachers the populace forced its way into the churches and convents, pillaged them, defiled the altars, smashed the images of saints and the crucifixes, and

trampled under foot the sacred hosts. The whole body of clergy and monks, robbed of their goods, were obliged to leave the town, and the town syndicus actually tried to make out that it showed great generosity on the part of the council that the plundered and maltreated victims had been allowed to seek homes elsewhere.[1] 'Those of Stralsund,' said a contemporary, 'have sown the wind and they will reap the whirlwind! Their unpunished crimes and bloody deeds will produce a whole generation of criminals and bloodshedders.'[2] And so it fell out. Within the years from 1554–1587, 167 cases of murder occurred in Stralsund. During this period twenty-one persons were publicly scourged for different crimes; eighty-nine were banished from the town; twenty-seven, most of them guilty of adultery and incest, were first scourged and then banished; forty-six were hanged; three thieves were hanged on the same day, and another day five robbers were beheaded. Capital punishment was inflicted on thirty-eight people for robbery, murder, incendiarism, adultery, incest, &c. Eighteen people, mostly murderers, were punished by the wheel, seven were condemned to be burnt for witchcraft, murder, and false coining, two were buried alive, another was drowned.[3] The Stralsund town scribe, Joachim Lindemann, tells of a family, in 1554, of whom the father was killed by one of the sons, and the son torn with pincers; two other sons were killed by peasants, and the fourth son, who had had to sue his brother on account of the murder of the father, afterwards beat the mother. The mother learnt at

[1] See present work, vol. v. 119, n. 1.

[2] *Merkwürdige Rechtsfälle, &c.* (1739), p. 32 ff

[3] *Baltische Studien*, 7, Heft ii. 13–21.

the clerk's office at what place in the town her son was to be tortured with pincers, and did not show the least sign of grief or horror on account of her son or her husband.[1]

In the Pomeranian chronicle of Joachim von Wedel-Wedel (June 17, 1581), there is an account of the execution of a murderer and highway robber, who, on his own confession, had killed his six children and 964 other people. Another criminal was executed on September 16 of the same year who had killed 544 people.[2] At Thorn, after the new doctrine had gained the upper hand, injuries and criminal cases multiplied endlessly; from 1540–1650 over 90 criminals were punished with death: thieving, church-robbery, highway robbery, murder (above all child-murder), poisoning, sodomy, bigamy, adultery, incest, witchcraft, suicide, became 'the order of the day.'[3]

In Mecklenburg, as early as 1566, Duke John Albrecht had complained of 'the frightful increase of murder even among relations.'[4]

Two years later the ducal fiscal officer, Dr. Behm, said in October 1568 at a 'Rechtstag' at Wismar: 'Murder is almost becoming an unpunishable habit. Murder and adultery go unpunished owing to bribes and to the intervention of private persons.' At Rostock, in August 1567, there were three executions; that of a son brought to justice by his own

[1] *Baltische Studien*, 7, Heft ii. 16–17.

[2] Wedel, *Hausbuch*, 283; cf. 354, down to the year 1594: a widow murdered her son and her daughter-in-law; a five-fold child murder at Klein-Mullingen.

[3] Döllinger, ii. 657.

[4] Schirrmacher, i. 560.

father, Gerd Schmidt, a wool-weaver, for having broken open his chest, stolen money from it, and beaten his stepmother. On August 17 a man was put to death by the sword who confessed to having seduced his master's betrothed; and at the same time a servant was executed for giving counters for gold gulden.[1] At Malchin and Neubrandenburg within a short period after 1568 six murders were committed. At the provincial Diets the protection to be granted to murderers on their way to the courts of justice was repeatedly a subject of discussion.[2]

Interesting matter for criminal statistics of the two towns of Zeitz and Naumburg is contained in the chronicle of the Naumburg cathedral preacher Zader. As regards Zeitz, only one murder is recorded in the fifteenth century. Since 1549, however, crimes are mentioned in continually increasing numbers. In 1549 a rich farmer was executed for having out of sheer spite poisoned the beer drunk at a wedding; 'in 1579 a female incendiary; in 1585 one Michael Schulze, who on Maundy Thursday had set six farms on fire; in 1587 a tailor, something over the age of sixteen, who had killed the children with poison; in 1588 a peasant woman who had had immoral relations with 175 men; in 1603 a peasant lad of eighteen for theft; in 1618 a boy of thirteen; in 1620 a schoolboy, aged eighteen, who had killed a woman with a hatchet.' A similar list of atrocious crimes, incendiarism, incest, poisoning,

[1] Lisch, viii. 99, 191.

[2] *Ibid.* viii. 100 note. Cf. Spalding, *Mecklenburger Landesverhandlungen*, 43, 58. In 1606 Duke Charles of Mecklenburg complained, 'numbers of cases of killing and other acts of highly punishable violence occurred day and night, so much so that even among barbarous nations the like had not been known' (Boll i. 280).

murder of children, husbands, and wives is given as regards Naumburg—eighty-eight cases in the years 1532–1638; many youthful misdeeds occur also on this list, and also numerous cases of suicide. Most of these crimes, fifty-seven that is, belong to the period between 1579 and 1618. On the whole, in the two towns in question, 141 gross crimes were perpetrated between 1552 and 1664.[1]

The tale of bloody deeds and crimes told by the historian of the town of Halle as having occurred at the close of the sixteenth and the beginning of the seventeenth century produces a ghastly impression on the reader, especially when it is remembered that the town even then, when still materially flourishing, had not above 14,000 inhabitants, amongst whom there was not yet any so-called fluctuating population worth mentioning.

Some of these crimes caused the greatest and most widespread consternation, as, for instance, in June 1572, the murder of the unfortunate third son of Hans von Schönitz, 'who had been married to Katharina Bötticher since 1562 and had lived in his palace in the market-place.' He was murdered there and robbed by his secretary Christopher Wind, from Zangern near Salzburg, to whom he had given a box on the ears. 'But it was quite an unheard-of thing that a wealthy landed proprietor, Frederick Kersten, the mortgagee of the knight's property of Seeben and feudal lord at Groitzsch, the son of a prince's treasurer and for eight years the son-in-law of the veteran Alt-Ratsmeister John Tentzer, should actually have been guilty of

[1] *Zeitschr. für deutsche Kulturgesch. Jahrg.* 1859, pp. 584 ff., 637 ff., 774 ff.

robbery and murder. On the 4th (o.s.) or 14th (n.s.) of June 1605 he enticed the Frankfort jeweller James Spohr from Antwerp, who had taken up quarters in the "Blue Pike" at Halle, under plausible pretexts into his house, struck him dead with a heavy hammer, robbed him of jewels to the value of 8000 gulden, and afterwards cut up his corpse and hid the different parts of it in several places a long way out of the town.'[1]

'Under these circumstances the executioner and the bailiff of Halle were extremely busy people. The burghers had only too frequent opportunities of seeing how those punishments, which did not take away life, were carried out. Besides public exhibitions in an iron collar, or standing at the pillory, or being led through the town with clang of cymbals and trumpets, it had lately become the custom (since 1550) to intimidate the swarms of impudent fellows and wenches who carried on all sorts of rowdyism and thieving in the neighbourhood of the town, by a punishment which was comical enough for the onlookers, but might often become very dangerous for the victims. In front of the Moritzpforte, on the dam which lay between the Saale and the muddy town moat and led to Glaucha, a beam was erected with a swinging basket. In this basket the delinquents were placed in order, as the case might be, to give them a dip in the water of the moat, or simply to let them fall into the mud. Repeatedly, also, the burghers were entertained with the spectacle of the public scourging of men and bad women for manifold offences, sometimes for

[1] Olearius, 349 ff. Dreyhaupt, ii. 515 ff., 958, and Gen. Beilage, 176. Hertzberg, ii. 330-331.

insolent libels, which performance began at the whipping post.'[1]

About Whitsuntide 1582, extraordinary events happened at Leipzig and in its neighbourhood. The sextons there had (as it was then believed) caused a great number of deaths by sorcery and a poisonous powder made of toads, salamanders, and snakes. They laid one corpse on top of the other; broke the thumbs of the dead, closed their hands; on the roads they buried, in huge pots, skulls and poisonous mixtures in order to give diseases to those who passed over them; they robbed the houses of the dead. At length a peasant girl, whose mother they had strangled, betrayed their wicked deeds, and the sextons were apprehended by the police. At the trial they told how their wives and sisters-in-law, as old witches, had caused many a disastrous storm and had been in alliance with the devil. The Leipzig master who had prepared the poison owned to having poisoned his first wife, his manservant, and many more. The four accused were torn to pieces with red-hot pincers and broken on the wheel. The women, sentenced as witches, were burnt to ashes. In the following year, 1583, at Leipzig a female poison-mixer who killed her husband, her sister and her maid, who had helped her in killing her husband, were beheaded and put on the wheel. In 1584, in the same town, a butcher murdered his father. On February 2, 1585, on one day seven people were hanged and one beheaded.[2]

In the years 1610 1611 and respectively, at Koltidz

[1] Hertzberg, ii. 332–333.

[2] Richard, 15. Heydenreich, 177, 178. See also Vogel, *Leipziger Geschichtbuch*, 245 ff.

in the Saxon Electorate, one woman was executed for adultery with the pastor and another for the same offence with the schoolmaster.[1]

In Torgau after the beginning of the seventeenth century the general demoralisation showed itself in a startling number of the grossest crimes and most unnatural deeds of infamy; the culprits were punished by loss of arms and legs.[2]

An enormous number of murderous deeds were committed during gambling. The author of the 'Spielteufel' says, for instance: 'I have often heard say that in gambling rooms people stab each other for a mere nothing, and I myself once saw at Dahme a mason murder a carpenter over the gambling table, and a few days after the murderer had to forfeit his head. The same kind of thing happened at Wittenberg, when a journeyman butcher, over a game at cards, stabbed another man, and he too, on the third day after, was put to death and laid in the same grave.'[3]

The documents of the Saxon chief state archives of the years 1604–1606 show that immorality and adultery were frequent, but murderous deeds still more so.[4]

Similar conditions had arisen in the principality of Ansbach-Bayreuth. In spite of all earlier penal ordinances, says a Margravian Mandate of 1562, blasphemy becomes more and more common with young and old, and especially among official persons, whose duty it is to put a stop to the practice; the people all live in open immorality and drunkenness.[5] In 1583

[1] *Zeitschr. für deutsche Kulturgesch. Jahrg.* 1856, p. 413.
[2] Grulich, 128–129.
[3] *Theatrum Diabolorum. Der Spielteufel,* 440.
[4] *Zeitschr. für deutsche Kulturgesch. Jahrg.* 1872, p. 494 ff.
[5] Lang, iii. 323. Kraussold, 155–156.

the princely councillors reported that 'at all the church fairs murders and bloodshed occur.'[1] Crimes of all sorts multiplied to such an extent that in the small territory of scarcely 90,000–100,000 souls, in the years from 1575–1603, 1441 men were put to torture, 474 were executed, and about 309 were scourged.[2]

Moral anarchy and atrocious crimes of all sorts were also met with in the Catholic districts.

The picture afforded by the criminal acts of the Odenwald, a district belonging to Mayence, is a surpassingly sad one. Since 1534 church robberies, murder, and murderous attacks had been the order of the day; adultery and incest were of quite common occurrence.[3]

In the Austrian and Bavarian districts also, the growing religious and moral anarchy was everywhere cognised by an increasing record of crime. The attempts of the territorial princes to put a check on the prevalent corruption were without result. The severity with which Maximilian I. of Bavaria proceeded against sins of immorality actually gave occasion for still worse crimes, child-murder and abortion.[4]

[1] Lang, iii. 323.

[2] *Zweiter Jahresbericht des Histor. Vereins des Rezatkreises*, 1839, p. 19 ff. See also present work, vol. v. 450 ff., and *Zeitschr. für deutsche Kulturgesch.* (Jahrg. 1893), iii. 302 ff., where it is said: 'If we put the population of the then principality of Ansbach in round figures at 100,000, we have a yearly average of sixteen capital punishments, that is one execution per year for every 6250 inhabitants' (p. 304). 'It must not be passed over in silence that, as other sources also sufficiently prove, the Lutheran clergy distinguished themselves by the darkest superstition and fanaticism in these gruesome persecutions and lawsuits, verily a bad proof of the pretended spiritual elevation and moral improvement effected by the Reformation' (p. 305).

[3] *Zeitschr. für deutsche Kulturgesch.* (Jahrg. 1859), p. 409 ff.

[4] Sugenheim, 517 ff., 532 ff.; Wolf, *Maximilian I.*, vol. i. 405.

In the Tyrol, in the time of Ferdinand II., in addition to the iniquities everywhere in evidence, an entirely new development appeared: 'the formation of whole groups of evildoers, who banded together and made common cause in deeds of criminality.' Marauding companies made the neighbourhood of the towns unsafe.[1]

Such companies in the neighbourhood of Vienna are mentioned in 1584.[2]

A gang of thieves and robbers had, as early as 1558, pestered the military road leading from Silesia to Meissen. The members of this gang did not shrink from the most horrible deeds of murder. One of this band of criminals, who was called 'the red king of this chartered company,' was caught. On examination at his trial he confessed that 'he had committed forty-nine deeds of murder, and that amongst his victims was a shingler—a man who had five little children and not more than four Bohemian pfennige in his pocket—whose head he had split in two in a forest.' At this trial, also, the names of all the innkeepers who had lived on terms of intimacy with this company of thieves were found out. 'The foremost associates were the hosts in the taverns at Kohlweese at the sign of the Wether and at "the Pit." The first two had murdered their own brother in order to get possession of his patrimony, amounting to 100 marks. Afterwards they had put the dead body in a barrel, and as the corpse was too long for it, the host of Kohlweese had chopped off the head with an axe, and then bored

[1] Hirn, i. 503 ff.; cf. 507 and 75. Concerning a gang of thieves in the Oberinntal, 1569.

[2] See George Eder to the Duke of Bavaria (May 6, 1584) in *Mitteil. des Institutes für österreich. Gesch.* vi. 448.

holes in the barrel and thrown it into a pond.' On April 30, 1558, 'seven malefactors belonging to this chartered company were put to death. On May 7 the brothers were condemned *in camera*, but as one of them retracted his confession they were remitted. When, however, at last this hardened man fully confessed his crime, the justly merited sentence was carried out; one of them was speared alive and the other was beheaded and his body impaled.'[1]

In Silesia in 1606 a gang of poison-mixers was discovered. 'In this year,' so goes the report, 'in Frankenstein the wicked, murderous crew and their associates, at the instigation of the hellish spirit of lies and murder, concocted highly pernicious poison-powders and salves and put them into bottles, vases, boxes and receptacles of all sorts, so that they might diligently carry them about and strew and smear them over the streets and in the houses; especially in the houses in which they had had business to do on account of the dead, and where they strewed their poison over the stairs, the hand-rails, the doorsteps and door handles. They threw their powders into houses where they intended to commit robberies, to some they gave them as wholesome medicine, and so killed about 2000 people. For the dead they had no mercy. They stripped them of their grave clothes and of their rings and laid them cross-wise for their own superstitious purposes. They hacked off the corpses' heads with a spade and used them as ingredients for their poisonous concoctions. For the same purpose they cut out rotten flesh or took it out

[1] S. Grosser, *Lausitzische Merckwürdigkeiten* (Leipzig und Bautzen, 1714), Erster Hauptteil, 192.

of old graves. Two of them cut out and ate the hearts of an unbaptised infant, and of two unborn children, "to have seven lucky years." One of them satisfied his lust on the dead body of a virgin, which he kept three days in the mortuary chapel. They threatened also to poison the pews. They were betrayed by two drunken servants of theirs. Then at the song of these two birds the whole nest was carried off and brought to prison and trial. After the statement of their dreadful deeds eight malefactors were condemned on September 20, and burnt with red-hot tongs on the fingers and breast; two of them had their hands chopped off, the leader was tortured on the wheel, and afterwards four of the bodies were burnt and four of them smoked by slow fire to death. On October 24, in punishment for poison-strewing, Ursula, daughter of Caspar Hübner, and Susannah, the sexton's servant, was burnt with red-hot tongs on the fingers and breast, brutally torn and mangled, and with Margaret, the wife of Caspar Schetsen, who had died of dropsy in prison, burnt to ashes on a flaming pile of wood. The following year, on February 23, Barthel Milde, who, under pretext of burying the dead and disinfecting the houses, had strewed fresh poison about, had broken into houses and committed robbery, was tortured with red-hot tongs on both breasts and both hands, bound alive to a post, and scorched for a full hour by a fire at a distance. Three women were exposed to equally terrible punishments for having strewed poison. On October 5, Hans Lack was burnt alive for having dug up corpses. . . . George, the son of Schleuniger, a boy of thirteen, and Paul, son of Freudiger, a boy of eleven, were also put in prison because they had learned the poisoning trade from

their wicked parents and wanted to avenge the death of the latter by strewing poison.' [1]

Altogether the Silesian criminal record is one of the largest. In Brieg in 1570 two miscreants were executed who had committed 120 murders.[2] 'In 1575,' so says a report, 'at Sagan, Peter Wolfgang, styled Pusch-Peter, had his right hand chopped off, was torn with pincers, dragged out of the town, and impaled on a spear. He had murdered over fifty people, among whom were six women with child, whose little hearts he ate in order to escape capture, and forty-one widows, committed six church robberies and other criminal deeds.' [3]

In Breslau the number of executions and unnatural brutality in crime rose to a preposterous height: in the years from 1530–1580, punishment was inflicted for 109 cases of murder and of taking life, and eighty-seven persons executed for other offences. Incest and bigamy increased continuously.[4]

[1] Pol, v. 32–33.

[2] In A. Knoblich's Chronicle of Lähn (Breslau, 1863) there are interesting accounts of the way in which the council and the burghers, in 1572, out of fear, let thieves, crop wasters, and incendiaries, escape and actually protected them against punishment: pp. 114–121.

[3] Pol, iv. 79.

[4] Döllinger, ii. 657, and Pol, vols. 3 and 4. Ebers says, p. 337: 'It is a striking fact that such unnatural vices (incest, polygamy, and so forth) should be recorded especially of the sixteenth century'; then, in strange contradiction of this statement he says at p. 341: 'With the Reformation the gross outbreaks of immorality diminished and gave way more and more to orderly civic conditions.' In a list of crimes at p. 342 we find, for the years 1530–1555, fifty-one murders and deaths by foul means, five cases of child-murder, one street-robbery, seven cases of theft, six cases of incendiarism, two of (secret) polyandry, two of bigamy, one of incest, five of adultery, twenty-two suicides; then follows a list of punishments without any mention of the particular offences for which they were inflicted: eighteen cases of beheading, two of hanging, eight of burning, six of torture on the wheel, quartering, and pinching with tongs,

In Strasburg, in Catholic times, one gallows had been enough; but in 1585 a second was erected, and in 1622 a third. Immorality increased from year to year.[1]

The increase of crime brought about by the religious innovations appears in a specially striking manner at Nuremberg. 'The number of executions there multiplied threefold in the sixteenth century, and unnatural abomination of crime increased in the same proportion.'[2] 'On going through the chronicles, especially those of the second half of the sixteenth century, one is astounded at the quantity of deeds of violence, cruelty, and murder, of the more or less serious robberies, of the immense amount of fraudulence.'[3]

A highly interesting publication is the Diary of the executioner Franz Schmidt, who entered on his dismal trade in Nuremberg in 1577 and remained in the service till 1617. In 1578 he had to conduct thirteen people to death; concerning one criminal he remarks: 'put to death with the sword: him I anatomised and cut up.' In 1579 the number of executions amounted to thirteen. In these two years the number of persons who underwent other kinds of severe bodily punishment, such as chopping off fingers, or the right hand, burning through the cheeks, scourging with rods, amounted to seventeen.[4]

four of burying alive, one of spearing. In the years 1555–1580: fifty cases of murder and killing, three child-murders, nine crimes of immorality and incest (one man had seven wives), and so forth.

[1] See above, p. 122; Silbermann, *Lokalgesch. von Strassburg*, 169–171; Döllinger, ii. 658. Cf. Reuss, 210, for the trial of M. Schreiner in Strasburg in 1618, which shows the moral depravity of the upper classes of the town.

[2] Döllinger, ii. 656, where in note 24 a table is given showing the increase of particular crimes.

[3] Dr. Lochner, 'Zur Sittengesch. von Nürnberg,' in the *Zeitschr. für deutsche Kulturgesch.* (Jahrg. 1856), p. 236.

[4] v. Endter, 8–11, 127–129.

Crimes were gross and manifold. The entries in this Diary for the year 1580 are as follows: 'January 26, three women put to death with the sword for child-murder: their heads were nailed up on the gallows-tree. February 15, a bigamist scourged with rods. February 23, a robber put to death with the sword. February 29, a woman scourged with rods for child-murder. March 3, a fratricide put to death with the sword. March 27, a female thief scourged. April 28, two thieves hanged. May 5, 14, 19; June 18; July 5 and 8, five male thieves and two female ones scourged with rods. July 15, two thieves put to death, one by hanging, the other by the wheel. July 18 and 20, and August 2, four thieves hanged and one scourged. August 16, a murderess put to death with the sword, after torture with tongs, her head was stuck on a pole and her body buried under the gallows. August 23, scourged a crab-poacher who already had been in the galleys. September 14, hacked off the fingers of a procuress. September 17, two thieves hung: "who, being led to death, were in good spirits, laughed and shouted and called the gallows a bad cherry-tree." September 30, two female thieves scourged with rods. October 4, one thief hung. October 20, scourged the wife of a watchman, a whore. November 17, broke on the wheel a man who had murdered his sister. December 1, scourged a man who had taken three wives and had children of them; ditto, one of the wives. December 6, put to the sword a woman who had murdered her own six-year-old child and had intended also to murder her four other children. December 12, scourged a thief.'[1] The diary shows how frequently incest, rape, sodomy (one case involving eleven persons)

[1] v. Endter, 11–14, 129–130.

had to be punished. Many are the bigamists and trigamists; one man had four, another five wives. The number of murders is appalling. Murders of fathers, brothers, sisters, husbands and wives appear in the executioner's diary; fourteen mothers who murdered their own children; murderers guilty of three, five, eight and even twenty murders, some who had ripped up 'living women and cut off the hands of their little children.'[1] The hideous unnaturalness of the crimes is appalling. In 1576 it was reported that 'a man had buried his own child alive, and after it was suffocated had dug it up again, torn out its heart, and eaten it.'[2] 'On the whole,' says the executioner Franz Schmidt at the end of his Diary, 'I helped 361 people out of life into death, besides inflicting bodily punishment, scourging, chopping off fingers and ears, on 345 others. Then I gave up the service and became an honest citizen again.'

A very important manifestation in the period of the Church schism was the increase of suicide. The Mayence Archbishop Michael Helding lamented over it in his sermons at the Augsburg Diet in the years 1547–1548. 'We are forced nowadays to see and to acknowledge that Christendom was never so greatly in the power of the devil as in our unhallowed times. When has sin ever gained ground so terribly? When has the devil ever driven so many people to such desperation, that they become utterly hopeless and put an end to their own lives?[3]

[1] See v. Endter, especially pp. 4, 7, 22, 86.

[2] *Histor.-diplomatisches Magazin*, ii. 252.

[3] *Von der Hailigsten Messe, Fünfzehn Predige zu Augsburg auff dem Reichsstag im Jar MDXLVII gèpredigt.* Ingolstadt, 1548. Erste Predigt.

As to-day, so too at that time suicide was much more frequent in Protestant than in Catholic districts.[1]

In the Brandenburg Mark the great increase of suicide moved the superintendent Andrew Celichius in 1578 to publish a special treatise on the subject. 'It is a cause of great wonder and lament,' says Celichius, 'that in so short a time we have had so many terrible and heart-rending cases of murder, by which people, old and young, rich and poor, sick and healthy, have put an end to their days, and through their example have helped to spread the contagion of despair.' The theory, so much discussed in modern times, of the infectious influence of suicide, is already propounded by Celichius. 'Right-minded Christians,' he says, 'are much distressed and concerned that so many suicides find prompt imitators. I know of a respectable family in an evangelical locality, four members of which committed suicide one after the other. Possibly the despair of the first member became an example to the others.' The realisation of the prevalence of suicide distressed this Lutheran preacher all the more, as he saw that this sinister manifestation did not reflect honour on the Protestant Church. 'These people' (suicides), he said, 'give the evangel a bad name in the world, and cause many to turn their backs on the pure doctrine and to reject the Lutheran Church (although it is indeed the true Church of our Lord), because they see and hear that some of us get no comfort from the evangelical sanctuary, but become victims of melancholy and despair, just like any God-forgetting heathen, and in great fear and trembling put an end to our lives. This

[1] What follows is from Paulus, 'Der Selbstmord im 16ten Jahrhundert,' in the *Wissenschaftl. Beil. der Germania*, 1 Oktober, 1896.

makes the preaching of Jesus Christ despised by some, hated by others, and it seems to numbers of people as if all that is said and written and proclaimed so exultingly about the sap and vigour of the Evangel was all pure invention.' [1]

That 'melancholy desperates' were constantly met with we learn from another Lutheran preacher, Simon Musaeus, who had laboured in various parts of Germany: 'Not only in our own selves do we day by day realise how much we are overcome by heavy-heartedness, but we see and hear of it in other people and learn how one here, the other there, pines for death, stabs himself or drowns himself, and this not only on account of poverty and want, but in the midst of riches and abundance: many a wealthy peasant has been found dead over a heap of corn or a chest of gold.' [2]

'Verily it is to be feared,' wrote in 1572 the Silesian preacher Sigismund Suevus, 'that cases of this sort will be of very frequent occurrence in these present times of dearness both among rich and poor.' [3] In agreement with this a Silesian chronicle says: 'In this year 1545 numbers of people in towns and villages fell into such a state of despondency that they drowned, hanged and stabbed themselves. Many of the peasants, when they were driving into the towns, hanged themselves on the wagons before their servants knew what they were doing.' [4]

[1] A. Celichius, *Nützlicher und notwendiger Bericht.* 'Von den Leuten, so sich selbst aus angst, verzweiffelung oder andern ursachen entleiben und hinrichten.' Magdeburg, 1578. A. 2[a], S. 5[b], R. 5[b].

[2] S. Musaeus, *Nützlicher Bericht wider den Melancholischen Teuffel* (without locality, 1569), C. 1[a].

[3] S. Suevus, *Trewe Warnung Für der leidigen Verzweiffelung* (Görlitz, 1572), D. 6[a].

[4] See Pol, iii. 130. For Basle see Ochs, vi. 762–769.

Towards the end of the sixteenth century the Lausitz Superintendent wrote: 'There is such an amount of wailing and complaining among the people that if you go amongst them ever so little your ears are tortured and your hair made to stand on end. The people are heavy at heart and they don't know why. In such extremity many of them can find no comfort and they put an end to their own lives.'[1] Another preacher from the Lausitz district, Martin Moller, spoke in the same way of people who committed suicide in despair.[2]

Complaints were specially numerous in Saxony, the cradle of the new doctrine. Wenceslaus Sturm, superintendent in Bitterfeld, wrote in 1558: 'In a few short years we have had many terrible cases of desperate people putting an end to themselves.'[3] Andrew Lang, who was preacher in Chemnitz for a long time, published in 1573 a pamphlet against the 'heathenish care for the stomach which nowadays, as every one knows, is tremendously in vogue.' The 'Sorgeteufel' (devil of worry), says Lang, 'led many people to suicide, which was a fact of common experience.'[4] 'We see numbers of people,' wrote in 1567 the Wittenberg professor Henry Moller, 'who, overpowered by despair, lay violent hands on themselves.'[5] From Mansfeld, Cyriacus Spangenberg wrote in 1556: 'Several people this year have hanged, or

[1] Z. Rivander, *Fest Chronica*, Part ii., Leipzig, 1602, Bl. 2[b]. The first edition appeared in 1591.

[2] M. Moller, *Heylsame Betrachtung, wie ein Mensch Christlich leben und Seliglich sterben sol* (Görlitz, 1593), p. 143.

[3] A. Hondorf & W. Sturm, *Promptuarium Exemplorum*, ii. (Leipzig, 1588), 215[a].

[4] *Theatrum Diabolorum* (Frankfort, 1587), 361[b].

H. Moller, *Enarratio concionum Hoseae* (Wittebergae, 1567), Z. 3[b].

otherwise put an end to, themselves out of sheer desperation.' [1]

In South Germany also suicide increased in an appalling manner in the course of the sixteenth century.

In 1554 at Nuremberg, at an assembly in which all the preachers of the town took part, the councillor Hieronmus Baumgärtner said: 'It is, alas, a matter of daily experience that in these times, more than ever before, people of sound physical health fall into despair and long for death, go out of their senses and put an end to their lives.' [2] That this statement was not exaggerated is shown by the fact that in 1560, in Nuremberg, within three weeks there were fourteen cases of suicide.[3]

The Hildesheim chronicler John Oldecop, in 1556, lays stress on the striking fact that suicide was especially on the increase among the new religionists. 'Those who at Hildesheim during this year have put an end to their lives were all Lutheran burghers, men and women, who had fallen away from the holy Christian faith, and also from God and from obedience to the holy Christian Church. Consequently Satan got possession of them, and it is to be feared that the Lutheran preachers do not properly bless the little children, and do not sufficiently drive out of them the evil spirit.' [4]

In the polemical writings of that period this difference between the two creeds is frequently alluded to. The convert Sebastian Flasch, amongst other reasons for his conversion adduces the following: 'I observe that many of the Protestants fall into such a state of despair, that,

[1] C. Spangenberg, *Mansfeldische Chronik* (Eisleben, 1572), Bl. 473[b].
[2] G. Th. Strobel, *Neue Beyträge zur Literatur*, i. (Nürnberg, 1790), 97.
[3] Hondorf-Sturm, *Calendarium Sanctorum* (Leipzig, 1599), p. 338.
[4] Oldecop, 390.

in spite of the great certainty and confidence of their faith, they are driven to taking away their own lives either by hanging or some other way. Of this there are frequent examples, and they show the inadequacy of the Lutheran doctrine in building up the conscience. Such despair and despondency do not astonish me, because the Lutherans are outside the Church wherein alone true consolation is to be found, and they are robbed of the true administration of the Sacraments and true forgiveness of sins.' [1]

'The adherents of the Lutheran doctrine,' says another Catholic writer, 'are much given to falling into despair and pusillanimity; to such an extent indeed that the Lutheran leaders have published a special book of consolation for such unhappy people: it is of no use, however, and does not keep them back from putting an end to themselves by hanging, stabbing, drowning, and other such ways, and all because their new faith and their Augsburg confession are a dry cistern containing neither the true sap of the pure Word of God, nor the living power and might of the seven holy Sacraments.' [2]

In the same sense writes the Ingolstadt professor Caspar Frank, who had before been a Lutheran preacher. As one of the reasons 'why all rightly-believing Christians ought to persevere to the end in the universal Christian and Roman Church' he adduces the fact that 'many of the sectarians fall into despair and put an end to their lives: only lately a preacher who styled himself Andreas

[1] *Professio catholica M. Sebastiani Flaschii* (Ingolstadii, 1576), B. 2[b].

[2] *Etliche wichtige Ursachen, warumb in Augsburgischer Konfession gefährlich zu leben und sterben. Addenda Bekehrung Joannis Harennii* (Ingolstadt, 1587), pp. 108; *Bekehrung Piquerin Votons* (Ingolstadt, 1606), pp. 39.

Celichius had published a book about the people who committed suicide, and he tells in what rapid succession terrible cases of the kind had occurred in his own neighbourhood.' [1]

Luther, who was not blind to the constant increase of suicide among his followers, had in 1542 declared it to be a work of Satan to whom God had given such power within the Lutheran Church for the punishment of the prevalent ingratitude for, and contempt of, the Evangel.[2]

The increase of gross and abominable criminality had the effect of lowering the people's respect for criminal justice. Its moral power was thus diminished; it was forced to inflict heavier penalties. The general brutish morals and manners invaded the courts of justice and brutalised all their proceedings: the hearing of witnesses, the debates, the sentences and the executions.

At the close of the Middle Ages all the different territories of the empire were already intent on preventing crime by threatening with the strongest possible penalties: the threatening now assumed such earnest that not only were almost all offences, even the slightest, such as polluting fountains, insulting town night-watchmen, punished with death, but in most cases the manner of death was made as painful and agonising as possible. Special cruelty was manifested in the steadily increasing persecution of witchcraft, though not equally

[1] K. Frank, *Grundt des Catholischen Glaubens* (Ingolstadt, 1580), Bl. 331.

[2] 'Brief an A. Lauterbach vom 25 Juli 1542,' in De Wette, v. 487; cf. Paulus, *l.c.* With suicide, melancholia, a mental malady which often leads to it, also gained ground among the Protestants in an alarming manner. See the proof in Paulus, 'Die Melancholie in 16ten Jahrhundert,' in *Der Wissenschaftl. Beil. der Germania*, 4 Februar, 1897.

so everywhere.[1] The most extreme instance, perhaps, was the Nuremberg 'Recht' (1479), while the Cologne town 'Stadtrecht' (1437, printed 1570) was, relatively speaking, characterised by striking mildness. In this code even the worst crimes were only punished with simple beheading; excruciating modes of death had no place in it. All over Germany the widest scope was left to individual judgment in the meting out of punishment. In the Austrian 'Landgerichtsordnung' of 1514, for instance, only the punishable acts are enumerated, the particular mode of punishment is left entirely to the discretion of the judges.

The arbitrariness thus allowed in the pronouncement of sentences grew worse with the invasion of the Roman law and the supplanting of indictment by the inquisitorial process evolved from canon law. The local criminal codes were often enlarged by additions from the Roman code; the number and the species of punishable acts were thus increased. At the same time the Roman penal law, which bore such an out-and-out national stamp, was little understood. Still more important than this adoption of the foreign law was the removal of members of the town council and sheriffs from the law-courts to make room for trained judges, whereby the harmony and agreement between the view of the bench of judges and that of the people, rendered so imperatively necessary by the uncertainty of the penal laws, were entirely lost. Added to this was the changed attitude of the judge to the accused person, who, under the inquisitorial process, was delivered up helpless to the unfettered authority of the judge who was conducting the trial. The

[1] For fuller details thereon see below.

inquisitorial principle aimed at making the whole penal procedure independent of formalities, in order that there might be as little restriction as possible in the investigation of the facts of the case. Protecting formalities were allowed to drop, provided justice remained safe. The best proof of an accusation is the confession of the accused: condemnation could only take place when the culprit had owned up, or witnesses had proved his guilt. Where these were wanting the examining judge endeavoured to obtain full proof by means of torture. Abuses and evils had become so great towards the end of the fifteenth century that the Imperial Chamber insisted on a new penal code being drawn up for the whole of Germany, and the Diet at Freiburg in 1498 took the matter in hand. The generally complained of decline in the penal procedure of Germany was chiefly manifest in the unlimited use of torture.[1]

The judiciary use of torture was first introduced into Germany in the middle of the fourteenth century;[2] but it was only at the close of the fifteenth and during the course of the sixteenth century that it reached its terrible development, and torture in the hands of the inquisitors became a special science and art. Even those lawyers who recognised that there was nothing so cruel and inhuman as to subject a human being made after the image of God to the torture of the

[1] Holtzendorff, *Handbuch des deutschen Strafrechts*, 67. Concerning the conditions of penal law see also Fr. Heinemann, *Der Richter und die Rechtspflege in der deutschen Vergangenheit.* Leipzig, 1900. (*Monographien zur deutschen Kulturgesch.*, edited by G. Steinhausen, vol. iv.) See also R. Quanter, *Die Folter in der deutschen Rechtspflege einst und jetzt.* Dresden, 1900.

[2] See Seifart, 668–672, and Knapp, *Das alte Nürnberger Kriminalrecht*, Berlin, 1891.

rack, and moreover that it was a dangerous and doubtful means of eliciting the truth, still held firmly to the principle that for this last purpose torture by the rack should be used in case of necessity. The jurist Peter of Ravenna, who in 1511 advocated the abolition of torture, remained, as did later on the Spaniard Luis Vives, an isolated phenomenon.[1] 'How extremely doubtful a means was this cruel practice' people learnt from experience (though without profiting thereby) from numerous horrible cases, the most horrible being one in Pomerania, where at Stettin, in 1518, a church-robber and murderer was put in prison, who confessed that once before he had committed a church-robbery, in consequence of which, on false suspicion founded on 'confessions' wrung from the said culprit under torture, three priests, seventeen sextons, eighteen other men, and eighteen women and girls, altogether 118 were executed.[2]

In the new law-books, which attempted to remedy the intolerable conditions in Germany, torture was retained, as, for instance, in the Bamberg criminal ordinance published in 1507 by the Bamberg Prince-Bishop George. The originator of this statute-book was John, Baron zu Schwarzenberg, who for a quarter of a century filled the highest secular office in the Bishopric of Bamberg.[3]

From the Bamberg criminal ordinance there resulted

[1] *Baltische Studien*, xx. 160. [2] Seifart, 687.

[3] Stintzing, 612 ff., 618 ff. Schwarzenberg very soon went over to the new doctrine, left his Bamberg office and undertook the post of first court-steward to the Margraves Casimir and George of Brandenburg. He died on October 21, 1528. Concerning Schwarzenberg's son Christopher, who remained true to the old Church, see Paulus in the *Histor.-polit. Bl.*, vol. cxi. (1893) p. 10 ff., and vol. cxii. p. 144 ff.

'the penal code of the Emperor Charles V. and of the Holy Roman Empire, which was compiled and ratified at the Diets of Augsburg and Ratisbon of the years 1530 and 1532.'[1] On the production of this new penal code, the so-called Carolina, Schwarzenberg also exercised an important influence. It was by no means the intention of this great jurist to mollify the enforcement of criminal law, but only to establish it on a juster footing, so that it should fall on the guilty only but should fall on them in merited measure with full force and severity.[2] As regards the rack or torture, the Carolina sought to restrict its use as much as possible by laying down minute prescriptions for its application.

[1] See Holtzendorff, *Strafrecht*, i. 67 ff.; Stintzing, 621 ff.; Glaser, *Strafprozess*, i. 78 ff. 'Die peinliche Gerichtsordnung Kaiser Karls V. kritisch herausgegeben von J. Kohler und W. Scheel' (*Die Karolina und ihre Vorgängerinnen*, vol. i.), Halle, 1900. See *Deutsche Lit.-Ztg.*, 1900, iv. 49, and *Histor. Zeitschr.* lxxxviii. 87 ff.

[2] Stintzing, 620–621. Knapp, *Das alte Nürnberger Kriminalrecht*, says at p. 9: 'The Carolina—like the ancient code of Suabian law—forbids thieves under fourteen to be put to death, but at the same time nullifies this decree by leaving it to the discretion of the judges in case of the delinquent being "big and dangerous," thus letting wickedness make up for age: from this, severity of doubtful advantage necessarily ensues. Thus at Nuremberg young lads were frequently hanged as "dangerous" who according to the old principle would at the outside have only been banished; nine-year-old boys dragged the galley-slave's irons. An out-and-out torturer's treatment was dealt out to five young thieves from nine to eleven years old, by the hangman, Master Franz Schmidt (1575): twice they were exposed at the pillory, then birched in the dungeon, lastly, each being tied to an older criminal, they were led to the gallows. There the man was hanged whilst the boy ascended the ladder to take his turn. At this point the priests intervened and asked for mercy, which was granted and the boys were banned from the town and district. The priests' intervention was pre-arranged, it being only intended to make the boys suffer the highest pitch of agony. In 1540 and 1547 two thirteen-year-old murderers were beheaded and afterwards broken on the wheel. Girls who had killed their illegitimate children were, quite exceptionally, sometimes treated with more leniency on account of their reckless youth.'

'Only when it was a question of a capital crime, of punishment by death or life-long imprisonment, was torture to be resorted to; and even then the circumstances of the case were to be inquired into. Further there must be adequate grounds for strong suspicion against the accused person. Also, the degree of torture was to be regulated according to the physical strength of the culprit. Confessions made under torture were not to have any importance attached to them, the statements of the tortured person were not to be written down; on the contrary, as soon as he or she was on the point of making confessions, the torturing apparatus was to be removed, and an interval was to elapse before the trial took place, and then only were the culprit's statements to be protocolled. Finally, the tortured person must be called on to confirm said statements at another trial conducted several days later.' [1]

These rules of the criminal ordinance of Charles V. were very seldom observed in the sixteenth and seventeenth centuries. Almost everywhere throughout the empire the tribunals went far beyond the Carolina in the application of torture. Ghastly are the descriptions of the instruments of torture used in that age of depravity. Collections of legal antiquities are still at the present day over-rich in objects used for extorting proofs of guilt from the unhappy victims of the justice of that period. Among the mildest means for extorting confessions were the thumbscrews, small iron presses of which the inner surfaces were indented. Between these indented surfaces the upper section of the thumb was screwed, and frequently the victim's nails came off or the finger was mangled. A smaller kind of thumbscrew was called

[1] Calinich, 285–286, and Glaser, *Strafprozess*, i. 87 ff.

'Jungfernstock.' Incomparably more painful were the leg-screws or Spanish boots, 'larger presses which were fastened round the calves and shin-bones and gradually screwed up.' To heighten the torture the executioner would pause with the screwing from time to time and knock with a hammer or a key against the shin-bone. A small indented board was so fixed inside the press that it came in touch with the bone. Another very painful torture was practised by means of ropes, the thickness of a goose-quill, provided with handles at their extremities. These ropes were wound once or twice round the upper arm of the accused and set in saw-like motion by the torturers pulling the handles to and fro. The friction soon broke and tore off the skin. More painful still was 'the dry pull,' that is the stretching of the limbs on a ladder or a rack. This, as a rule, was only applied in tortures of the third degree. The stretching was effected by weights, more or less heavy, attached to the feet of the victim who, by his or her arms tied behind the back, was swinging from a hook or a beam.[1]

Had these means proved unsuccessful, the torture was increased. 'The spiked hare,' a wooden cylinder with spikes, was rolled over the stretched victim's back and the points pressed into the spine. A still more horrible torment is described in the 'direction for torturing.' Six or more goose-quills are dipped in molten sulphur, lighted and thrown at both sides of the victim: there they stick and spread the burning sulphur over the body. Or pointed sticks of wood are inserted under the ten finger nails, the arms of the racked man let down a little, and then

[1] Seifart, 674–675.

fire is set to the sticks, which burn about two minutes. Or flaming pitch-torches are applied to the body so as to leave flakes of burning pitch on the skin which take a minute to burn out. Or the wretches are placed on red-hot bricks and held down by four strong men: this the victims declare to be the most painful of all tortures. With instruments of this sort for extorting confessions, it is no wonder that many quite innocent people should have pleaded guilty in order to escape the agonies of torture. Thus Sastrowe relates how, in 1544, a man confessed to a murder in which he had had absolutely no part 'to avoid trial by torture of which he had a far greater horror than of death.' [1]

Horrible, too, was the levity with which in many places the rack was used. Thus, for instance, in Hamburg, at the beginning of the sixteenth century, a very cultivated, honourable patrician, who had been falsely accused by wicked men of an abominable crime and kept in prison for twelve years, was four times subjected to torture. They could not, however, extort from him a false confession, and at last the appeals of his numerous friends, and an imperial injunction accompanied with a threat of the ban, procured him release.[2]

Many judges and criminalists invented numbers of new instruments of martyrdom, and they also extended the duration of the tortures beyond the time allowed by the law. The names of these new instruments, of German origin as their names betoken, were as follows: 'The Pomeranian cap, an iron barbed knotty rope to be pressed round the head; the Mecklenburg instrument, with which the thumbs and big toes were screwed together; the Brunswick boot, the Lüneburg

[1] Sastrowe, i. 83–87.

[2] Grevius, 387–389.

chair, the Mannheim buck, the Bamberg instrument.' The Dutch jurist Damhouder († 1581), who through his writings greatly influenced German law practice,[1] speaks of this system of torture as being rarely resorted to in some places, and obsolete in others. But that methods of a truly diabolical nature were unscrupulously used in many German towns in Damhouder's time, is shown by a case that occurred in 1570. In that year, in Frankfort-on-the-Maine, an accused person of good standing was subjected to every known device of torture in the vain hope of extorting from him the confession of his supposed crime: when all other means had been exhausted without any result, a bowl containing a live rat was placed bottom upwards on his naked flesh and tightly bound to him.[2] If such a proceeding was possible in a large imperial city it can easily be imagined what brutality might be practised in the tribunals of smaller territories, where the executioners and their bloody martyr work were often under the direction of quite uneducated and low clerks. Damhouder gives fuller details concerning such devils in human form, who with more than bestial ferocity took a special delight in maltreating the victims consigned to them for torture, in the most unheard-of ways.[3]

Wholly apart, however, from such outrageous excesses, the methods of torture which Damhouder describes everywhere as an eye-witness are quite sufficiently horrible. The patient, he tells us, having been undressed, and his hands tied on his back, is fastened to a bench. Strings wound around his big toes and running on rollers serve to stretch the body with measurable violence. Additional pain is inflicted by winding strings round calves

[1] Stintzing, 604 ff. [2] Kriegk, i. 216. [3] Seifart, 682.

and ankles and pulling the body downwards. Another kind of torture consisted in pouring cold water down the victim's throat until his body swelled up to the utmost limits. 'These,' says Damhouder, 'are the tortures in use with us. In case a first application fails to extort confession, a second is made and a severe scourging added.' He thinks these kinds of torture the most efficacious for obtaining the victim's avowal of his misdeeds.[1]

The way in which the system of torture kept pace with the continuous increase of demoralisation is shown by the blood-curdling description given by John Grevius in 1624. 'There are nowadays,' he says, 'more kinds of torture than there are limbs to the human body. It often happens that all those different kinds are applied to the same person almost all together.'[2] Of these methods Grevius mentions the following: Singeing of the whole body; enclosing in the so-called brass bull, which is made red-hot; pouring great quantities of urine down the throat; enforced sleeplessness; tormenting the already tortured body by the stings of bees and wasps; application of vinegar, salt and pepper to the wounds and sores; sulphur injections in the nose. As one of the most unbearable tortures, Grevius gives the following: the patient being bound to a form, his feet are smeared with salt water: then a goat is brought in to lick the soles.

More light will possibly be thrown on the penal procedure of that demoralised age by repeating a story of the year 1576, taken by Grevius from a documentary

[1] Damhouder, cap. 37, 19 *sq.* Cf. 'Tormenti genus hodiernos apud carnifices usitatum,' in Gilhausen, 433.

[2] Grevius, 56.

report of Peter Borrius, than by further enumeration of all the different devices for inflicting suffering. This case, which occurred in North Holland, focusses, as in a single picture, almost all the horrors and brutalities of the torture system of that period.[1]

The Stadholder William of Orange, in North Holland, had issued a manifesto, to the effect that a watchful eye was to be kept on the foreigners who had poured into the Province, as they were suspicious to him. Thereupon over twenty vagrant beggars were put in prison. The Stadholder appointed the Bailiff of North Holland, together with three officials from Hoorn, Alkmar, and Bredenrode as 'commissaries' or judges. The prisoners at once confessed to several thefts and similar transgressions. Torture was then resorted to and they were questioned about the peasants with whom, during their wanderings through the villages, they had had intimate relations. The beggars named several, who they said, had repeatedly given them shelter and liberal alms, amongst others a certain Jacob Cornelii and his son Nannius Jacobi, two very rich men. The judges then asked whether these peasants had not bribed them with money to set fire to several villages at the moment when the Spaniards should attack the Province; the commissaries added that forgiveness and release would be granted them if they frankly told the whole truth. The beggars at last declared that Jacob Cornelii and his son had bribed them in this way.

As the torture-master said later on, by order of the commissaries, one of these poor men, John Driemont by name, had his hands fastened behind his back and weights of two cwts. hung from his big toes. The judges,

[1] Grevius, 540–560.

meanwhile, read out from a sheet of paper the names of different peasants and asked whether these had not incited him to incendiarism. This questioning was accompanied with occasional injunctions, such as: 'You must acknowledge it; we know it well enough already; you must accuse them or you will be tortured like this every day.' The beggar kept silence. The commissaries then went off to dine in the inn 'Zum Äthiopier,' having first ordered the torture-master to continue the torture without slacking. For three hours the man endured his martyrdom, and then begged that the judges might be told he could hold out no longer. They kept him waiting another half-hour, and when at last they appeared, they asked whether the victim wanted to make a declaration. 'What do you want to hear from me, gentlemen?' asked the latter. They said: 'Tell us the names of the accomplices who helped you in your treachery, and we will grant you your life.' These promises and the intolerable suffering he was undergoing moved the unhappy man at last to accuse the peasants whose names were on the list. He did not, however, escape the funeral pile. Arrived at the place of execution he fell on his knees and called God to witness that he and the peasants were as little guilty of treason as the flint-stones which covered the place of execution, or as any infant that had only just been born the night before. The rest of the beggars were also executed; one here, another there; and all of them, in sight of death, declared before the preacher of the place and a crowd of lookers-on that the peasants were not guilty. Against the peasants there was no evidence but the first statement of the beggars. Nevertheless the commissaries had them

imprisoned and tortured. More than eight cans of brandy flamed up round the body of Jacob Cornelii, which became black all over, whilst all the flesh was burnt off the soles of his feet. Still no confession could be extorted from him. After he had been subjected to fresh brutal torture the next morning, he was taken in the afternoon before the commissaries. He uttered a few words and then collapsed in death before their eyes. 'There, there,' they exclaimed, 'the devil has twisted his throat round; he is dragging the rascal with him into hell!' His corpse was cut up in little pieces, although he had confessed nothing, and others praised his piety and devoutness. From the father they passed on to the son. Nannius Jacobi was tortured twenty-three times: wasps, bees, red-hot coals, burning candles, and so forth, being all used for the purpose. For six days he was allowed to suffer thirst, although he begged piteously for a cool drink. Rats, incited to bite by heat, were placed on his bare breast. The Stadholder himself had sent these animals. Other methods of torture employed were of such sort that decency forbids their description. Nannius at last said 'Yes' to everything that the commissaries wanted to learn from him, and they pronounced the death-sentence over him with the statement: 'Whereas Nannius Jacobi, lately under arrest, has without any torture and iron instruments, confessed, &c.' But when Nannius was brought to Hoorn to the place of execution, he declared solemnly that all his statements were utterly untrue, and that only the pains of torture and false promises had wrung them from him. A rising of the people was apprehended, and hence the execution was put off. In the judgment-hall the

officials heaped on their victim the bitterest reproaches; they told him that one limb after another would be torn from his body if he spoke again of his innocence. The next day the commissaries went to Nannius, who again declared his own innocence and that of the others. They gave him Spanish wine to drink till he was intoxicated, and then took him back to the place of execution. On his attempting once more to stammer out a few syllables in his own justification, John Epes, the preacher of the place, drowned his words with loud shouting. The populace groaned when they saw the poor man die. From that time those four commissaries were called the 'Bloody Scourges'; they soon became objects of universal hatred; the magistrates of Hoorn, and the Prince of Orange himself, found themselves compelled to stem the public disorder and to proclaim openly the innocence of several accused peasants.

Similar cases are reported from elsewhere, especially from Saxony, where, in one instance, the Chancellor Brück caused a ducal secretary, on a false accusation, to be put on the rack twice and made the executioner keep the delinquent so long on the stretch that he said at last 'if he stretched him out any more he would snap like a cord.'[1]

The fiendish brutality of the torture system led to a result curiously significant of the times. Among the numerous robber and gipsy bands of the sixteenth century there were actually some malefactors who, in the depths of the forests, used to practise on each other the worst refinements of martyrdom, in order, in cases of arrest, to be hardened against the torture that awaited them.[2]

[1] See present work, vol. vii. 396 ff.

[2] The imperial commissary J. Damhouder († 1581) says in his *Practica rerum criminalium*: 'Atque inter huiuscemodi reperies (expertus et ex

A Lutheran preacher wrote in 1583: 'In our days, whilst all true art is on the wane, men's minds are intent upon the art of torturing: new and extraordinary instruments of martyrdom are invented, and the poor martyrs are mocked and laughed at in a way revolting to a Christian heart. The comic side of old German penalties gave place to pleasures of the torture-chamber. The judicial records delighted in humorous descriptions of these horrors. The executioner was called Master Oh Woe! Master Jack Ketch or Merry Andrew, Master Fix, Master Kurzab (short and done with), Johnnie of the Rope; he was expected to teach the victim fiddling on the rack and making ready for a happy new year. The cat-of-nine-tails gave the victim the "minor orders" for the gallows and trussed him up. The gallows was "Three-legs" and the finger-post to heaven. Being hanged was to perform a merry Ginkle-Gankle, to be poisoned with a penny-bun from the ropemaker's shop, to serve as sign-board to the Three-Posts inn; to dance with the four winds, to wed Miss Hemp, and such like. Even after the death-sentence had been pronounced the judges could still indulge in a little more torturing a couple of weeks or days before the execution in the hope of extracting further confessions.'

Much of this torture was nothing more than a kind of secret execution, as, for instance, in the case of the

propria ipsorum confessione loquor), qui sese mutuis suppliciis in nemoribus excarnificant et ad omne tormentorum genus forti animo perferendum docent, exercent et obdurant, ne quando capti serioque torturam subeuntes tormentis cederent, sed uti cuncta exercito corpore et animo gustatis poenis edocto et obfirmato constanter citra ullam confessionem ulliusve proditionem perferrent.' Cf. Seifart, 679. Grevius (p. 215) refers to this passage in order to show the uselessness of torture for procuring evidence.

'Nuremberg Maiden,' a hollow iron statue, seven feet high, representing a burgher woman in the dress of the sixteenth century, by which the delinquent was, as it were, embraced and at the same time cut into pieces by twenty-three four-edged daggers.[1]

Even the defenders of torture admitted that: 'Nowadays there are instruments of torture in use in Christendom, which must be called horribly cruel, and in many places one meets with judges, who often are guilty of no slight wrong in that they resort so lightly and hastily to torture; but these abuses can all be abolished or avoided without doing away with the system: the judges should conscientiously proceed according to the explanations of the laws appended by the legal instructors, and above all they should attend to the numerous admonitions and precautionary rules by which the torture system is regulated.'[2]

Although the too barbarous cruelty of the tortures inflicted was almost universally recognised, nevertheless those noble-minded men who, in the midst of the general depravity, advocated the principles of humanity and denounced torture as iniquitous, did not carry their point.

One of the first who stood up against the use of torture in the sixteenth century was the renowned Spanish humanist and theologian, Luis Vives († 1540). In his commentary on Augustine's 'City of God' he expressed his wonder that Christians should still retain the

[1] *Berlinische Nachrichten von Staats- und gelehrten Sachen.* 1838, No. 282, Beilage. Cf. Lisch, *Jahrbücher*, vi. 198–200, according to whom there appears to have been also an 'iron maiden' at the castle at Schwerin.

[2] Grevius, 134–135. The heartlessness not seldom shown by both judge and executioner in the infliction of torture is described by Grevius (315–317) in a revolting manner.

heathenish system of torture. 'There are many savage nations,' he says, 'who think it cruel and inhuman to torture a man whose guilt is still a matter of doubt. We, however, we who are blessed with all the culture of which man is worthy, we plague and torture our fellow-creatures (in order forsooth that they should not be executed when innocent) in a manner which makes them greater objects of pity than if they were put to death at once. In such awful wise do the torturers too often exceed the worst horrors of death. Do we not daily hear of people who would far rather submit to death than to torture? Sure of their sentence, they often confess to crimes which they have not committed, only to escape being tortured. Verily, verily we have hangmen's hearts: we can endure and allow that such bitter tears and groans should be forced out of men and women of whom we do not even know that they are guilty.' [1]

Vives sums up his views in the words: 'Very weighty are all the arguments brought forward against torture; what, meanwhile, is said in its defence is empty, worthless and untenable.' [2]

It was the voice of the preacher in the wilderness. For a long space of time nobody dared again to proclaim such opinions. It was already going to great lengths if, amid the growing demoralisation, anyone ventured to speak against the abuse of torture, or when so enlightened a prince as Maximilian I. of Bavaria attempted to bring about a milder use of the system. On the whole, especially under the reign of the witch-scare, it continued to be practised in the most extreme

[1] Commentary on Augustine, *De Civ. Dei*, Book 19, ch. vi., quoted by Grevius, 439-441.

[2] Grevius, 507.

manner in most parts of Germany. The Lutheran theologian John Meyfart, born at Jena in 1590, a true champion of the wretched victims of torture, said in his 'Christliche Erinnerung an gewaltigen Regenten,' that in his youth he had seen the brutal way in which a master torturer had burnt a poor person, hanging in her martyrdom, in her secret parts with brimstone. 'Yea verily,' he goes on, 'they often tortured the poor creatures for twenty-four hours running, and stretched them so dreadfully twenty, thirty, forty, fifty times in succession, that the sun shone through their bodies and the intestines became visible. Meanwhile the judge and other official persons would go off to eat and drink, and even to play cards, leaving the victims alone to the tender mercies of the brutal executioner, until he was informed that they were ready to confess, or till they had died under the torture.' [1]

'Oh thou heavenly Father,' exclaims Meyfart, 'what must be the state of mind of the learned faculties, the magistrates, the judges, who sit at home in comfortable ease, eating and drinking to satiety, and in their studies writing about torture, and publishing books, and reading about torture in the criminal court proceedings sent to them, while all the time they have not the faintest image in their minds of all that goes on, and they judge of the wretchedest wretchedness and the brutalest brutality as blind people judge colours? How must the preachers, the teachers, the confessors be minded who sit at home in comfortable ease, eating and drinking and feasting, and in the seclusion of their studies describe prisons and the pangs of torture,

[1] Wiederholdt, 59. Concerning Meyfart see Bärwinkel, *Joh. Matth. Meyfart*, Erfurt, 1897. See also *Theol. Studien und Kritiken*, 1900, p. 92 ff.

put them into sermons, and from their pulpits excite the rulers, blame conscientious functionaries, and clamour for the executioner, while all the time they have not even a dim shadow of the truth in their thoughts, and describe the most agonising agony and the cruelest cruelty as the blind describe colours? If these political and ecclesiastical persons, who take such an interest in torture and martyring, were to hang just for one-quarter of an hour in the place of torment, their books and their sermons would spit forth curses and maledictions. To them may be applied the words of the Prophet Amos, chap. vi.: "they put far away the evil day, and cause the seat of violence to come near; . . . and are not grieved for the affliction of Joseph." There is money for the judges in the business, and for the preachers an occasion to crow to their heart's content; that is all the good in it.'[1]

A hundred years after Vives a new opponent of torture came forward, John Grevius (de Greve), Protestant preacher in the Dutch localities of Heteren and Heusden.[2] After the strict Calvinists had condemned the heresy of Arminius at the Synod of Dordrecht, Grevius refused to subscribe to the decrees on faith presented to him; he was therefore deposed from his office in 1618 and banished from Holland. Nevertheless, he returned there after a time and for several weeks held secret services in Kampen. In 1620, while sojourning at Emmerich, he was arrested in this little town of the Duchy of Cleves, taken to the Hague, and later on

[1] Meyfart, 481–482.

[2] See van Slee in the *Allgemeine deutsche Biographie*, ix. 647 ff. Soldan-Heppe, ii. 205 ff. Diefenbach, *Hexenwahn*, 160 ff. Concerning Grevius see also Binz, *Joh. Weyer*, second edition, pp. 117–119.

to Amsterdam, and condemned to perpetual imprisonment. During his trial, which lasted about six weeks, Grevius appears to have undergone torture. So at least says James Frederick Ludovici, and Grevius himself is undoubtedly alluding to his own experience when he writes: 'I know some one who was tortured by four sergeants, each of whom tried to outdo the other; besides the men who did the torturing, no other mortal was present.'[1]

For a year and a half Grevius was in prison at Amsterdam with common criminals; in the winter he could not obtain oil, tapers, or any other means of light.[2] At length, with a friend's help, he succeeded in a bold plan of escape. Duke Frederick of Schleswig-Holstein had offered the Dutch exile a place of refuge in his lands, and thither Grevius now returned. On August 12, 1624, he dedicated to this prince from Hamburg his memorable pamphlet against torture, the 'Tribunal reformatum.' As the immediate cause which drove him to write this treatise, Grevius mentions the circumstance that during his imprisonment at Amsterdam, theological books were only meted out to him with the most scrupulous spareness. Consequently he fell back on Roman law-books, studied also several explanations of these, with all their instructions and rules about torture, and conceived such a loathing for the system that he resolved to combat it in a special pamphlet. This he composed while still in his dungeon. Although Grevius had already in his youth, and especially during his eighteen months' imprisonment at Amsterdam, occupied himself with

[1] Grevius, *Tribunal ref. Praef. nova*, Bl. 6, 8[a], and 360.

[2] Grevius, *Tribunal ref. Praef. auctoris*, Bl. d. 7[b].

the study of law, he nevertheless would not undertake to fight the torture system from the standpoint of positive law. 'I do not seek to penetrate into the mazes of Roman law. In this work of mine I am concerned with that kind of law which our own reasonable nature teaches each one of us, which we call natural law, and of which the Emperor Justinian says that God's providence has, so to say, insured that it shall always remain unshaken and unchangeable.' As a theologian, Grevius says, he was quite specially fitted for an inquiry as to whether torture was in accordance with natural right. 'Moreover,' he says in opposition to the professional jurists, 'when a plague is raging, we accept an effectual means of cure from anyone, whether he bears the title of "doctor" or not.' [1]

'Among Christians,' says Grevius, 'torture ought no more to be tolerated than slavery, with which it is connected in its origin. All said in favour of torture is untenable. People appeal to custom. But this custom is unreasonable. The Roman code of law is appealed to. But this code also includes slavery. The Romans revelled in gladiatorial fights, and many people declared these to be good and useful, a Nero and suchlike bloodhounds among others. A law which directly contradicts natural law is no law at all. Reason says that punishment should not be inflicted without certainty of guilt; but torture punishes a crime before it has been proved. The conscience of the judge, they say, requires the help of torture, when other evidence does not satisfy him. But who compels him to punish, if voluntary confession or evidence of guilt do not afford proof enough? As little is torture needed to

[1] Grevius, *Tribunal ref. Praef. auctoris*, Bl. d. 3, c. 8.

keep up the dignity of the law-courts. Cruelty and injustice confer no honour. Neither can it be said that torture is necessary in order to deter the people from secret crimes; for that would be using a bad means for a good end. Punishment can only be legitimately inflicted on those whose misdeeds come to light without torture. Undue, excessive severity incites to transgressions rather than deters from them, and torture, more than other penalties, suggests to tyrants and revengeful men, the idea of accusing the innocent, especially of *lèse-majesté*.'[1] 'But,' Grevius frequently hears said, 'the use of torture is so hedged round with innumerable protective rules that innocence has no need to tremble. Torture is reserved for gross crimes, for cases where there is lack of other evidence, when there are insufficient indications of guilt.'[2] Grevius takes the trouble to test these 'indications' singly, and endeavours to show from their nature, and also from numerous examples, that even where strengthened by torture and the confession of the 'victim' they cannot be relied on.[3] Moreover, these limitations and modifications of the law-books and instructors of law were not seldom disregarded in actual judicial life. This leads to one of the most interesting pages of this instructive book, viz. the description of the evils and abuses attending the administration of criminal justice either generally or at any rate in many places.[4] 'According to present-day custom,' says Grevius, 'there are no prescribed limits for the judges in condemning to torture. If they

[1] Grevius, *Tribunal ref.* 11–12, 24–27, 17–25, ix. 26–29, 40–41, 82–85, 93–103, 103–110, 121–133.

[2] *L.c.* 135–136. [3] *Ibid.* 146–241.

[4] The pronouncement of sentences in civil law-suits was, to judge from an utterance of Grevius (205), far more careful and just.

like they can have you tortured a hundred times. When once they have begun they generally go on till they have wrung a confession out.[1] For a weak and infirm man there is then no hope. The judges set far too much store on the statements which the accused persons, either voluntarily or under torture, make concerning their accomplices; not seldom does fear, or desire for revenge, or hope of their sentence being modified, put lies into their mouth. Terrible is the desolation caused by such depositions at the trials for witchcraft. The facial expression also, the physiognomy of a man is often taken by the judge as an index justifying the recourse to torture. In mockery of justice, torture is even inflicted for petty thieving. If there are many persons to be tortured they begin with the feebler ones. For crimes of a certain sort they consider themselves entitled even to put children on the rack. Some of the judges themselves help in the proceedings, devise new forms of torture, seem as if they could not stare enough at the butchery, have to be admonished by the executioner that it is time to stop, drive people to death with torture.'[2] 'When anyone has confessed himself guilty under torture, and again after the lapse of twenty hours since his removal from the place of torture, still naturally under the influence of the pain and the fear of torture, has confirmed his confession, the judges instruct the notary to write down in the judicial acts that the culprit confessed of his own free will; no mention is made of torture. They justify themselves on the plea of universal custom.'[3] One thing was specially

[1] Grevius, *Tribunal ref.* 168–169.
[2] *Ibid.* 177–189, 230–235, 278–279, 282–283, 345, 421–424.
[3] *Ibid.* 450–469.

to be deplored. As Grevius points out, the judges could get strong support for much hardness and injustice from celebrated teachers of law both in earlier and modern times. Thus some of these showed a judge who had condemned anyone to torture unjustly the way in which he could save himself from punishment. According to Julius Clarus, the judges were not bound to inform the person condemned to suffer torture of the evidence brought up against him, nor to allow him opportunity to defend himself, unless he had himself asked for this. Others advised the judge not to decree torture until the accused was actually in the torture-chamber and on the point of being stretched on the rack: for then his appeal was void in law. Baldus opined that it was right to extort a confession from persons already fully convicted, because that confession deprived them of the right of appeal.[1]

By the indication of aberrations and abnormities of this sort, Grevius thought to have prepared the way for a direct and uncompromising attack on torture as such. 'The judicial procedure of the old covenant, as God Himself ordained it, knows nothing of torture. Torture is not in accordance with Christian love, which rather seeks proofs of innocence than of guilt, and in case of doubt gladly adopts the milder course. The natural moral law forbids that any man should be compelled to act traitor to himself.[2] The judges themselves allow that so long as the guilt is uncertain, punishment must not be inflicted. Hence it follows that torture ought not to be inflicted, for let them call it what they will, it is, as a matter of fact, punishment,

[1] *L.c.* 258–259, 266 sqq., 271.

[2] Grevius, *l.c.* 287–296, 297–301, 301–309.

and punishment as hard and heavy as any other, often, indeed, more terrible than execution itself.[1] Then there are to be considered the evil consequences which naturally follow on torture. As the slightest suspicion of guilt may lead to its application, any ill-disposed man, even the criminal himself, can cause it to be inflicted on the innocent. Torture is a welcome tool in the hands of biased judges, ambitious tyrants, embittered politicians.[2] Its horrible cruelty drives many to suicide.'

Such cruelty, Grevius tells the princes at the end of his pamphlet, ought no longer to be tolerated by them ;[3] he implores them to banish torture from their law-books and their halls of justice. Frequently and beseechingly he urges humanity on the judges, commends to their mercy the poor and the common people, shows how there should be no difference between the official and the Christian, and how unspeakably better it is in doubtful cases to let go a guilty person than to condemn an innocent one.[4]

Grevius speaks with abhorrence of the clergy who procure access to the chambers of torture and, either openly or hidden behind a curtain, entertain themselves with the sight of misery. Like good Samaritans, he says, 'the preachers ought to visit the prisons, take alms, consolation and aid to the prisoners, help the innocent to justify themselves, and earnestly and without intermission admonish the officials to justice and Christian mercy.'[5] Further, Grevius insists that every sentence of death should be signed by the prince himself.[6] It

[1] *L.c.* 299–300, discussed in detail at 78–81, 139–140, 252–253.
[2] *Ibid.* 325–329.
[3] *Ibid.* 509–511.
[4] *Ibid.* 88–92, 107–108, 220–221, 512–515.
[5] *Ibid.* 492–498.
[6] *Ibid.* 74.

grieves him when he sees the populace flocking to the doors and windows of the hall of justice in order to hear the cries of agony of the tortured people. He would like to see the corpses of those who had been hanged or otherwise executed decently buried; exposing them to view did not frighten and warn off the populace, but only increased its savageness and cruelty.[1]

The voice of reason, which spoke here to the heads and hearts of contemporaries, sounded in vain. More than 100 years after Grevius wrote his pamphlet, a later publisher of it said that torture was still in use and that he dared not hope that the publication of the work would procure its abolition.[2] Then, as before, the most learned of the jurists endeavoured to support the prevalent barbarity with their great erudition.

Uncommonly significant in this respect is the 'Neue sächsische Kriminalpraktik' of Benedict Carpzov (1595–1666), a man of strict Lutheran opinions, who had read the Bible through fifty-three times and who went every month to the Lord's Supper. This writer attributes the great variety of modes of torture to the continuous increase of crime. He mentions the names of sixteen different kinds of torture, but adds that there were 'a hundred others,' which he advises the judges to avoid and to abide by those in common use.

As in use in the Electorate of Saxony, Carpzov mentions cording the hands, thumbscrews and leg-screws, stretching on a ladder, and scorching. When the mere threat and sight of the instruments of torture were

[1] *L.c.* 484–492.

[2] 'Verum non ideo opusculum recudendum esse censui, ut crederem sic profligari posse e foris Christianorum torturae usum. Nimis quippe inveteratus est.' Preface of J. G. Pertsch, of the year 1737.

of no use, the officers must proceed step by step to the application of the same. 'The first degree consists in twisting cords round hands and fingers until they cut into the bone. This causes intolerable pain, so that this stage, as regards anguish and suffering, is not unlike the second. For the executioners say, "if the delinquent survives this cording, he can also easily stand the pains of severer torture." The second and harder degree consists in stretching the patient on the rack until all his limbs are torn and dislocated. This is the most usual kind of torture and is what is meant when one speaks simply of "torture." The third and highest stage is that the executioner, after stretching the victim on the rack, inflicts still worse martyrdom and scorches his skin with burning splints or with fire and brimstone, or pokes spikes of fir-wood under his nails, and then sets fire to them. Or else the victim is laid on a metal bull or donkey, heated inside with fire till it is red-hot. These and other kinds of torture are left to the discretion of the executioners. But as this third stage is the most terrible it is only resorted to in very horrible and quite out-of-the-way cases of criminality when the evidence is clear and convincing.'

After an admonition to the judges not to proceed without rule or discrimination in the use of torture, Carpzov says that very many judges unfortunately fail in this respect. 'For uneducated, drunken judges, who are not worthy of the name, tear and mangle the unhappy victims with torments beyond the power of human patience to endure. Like wild animals, which thirst for more and more blood when once they have tasted it, these men with gloating, devouring eyes will often order the torture to be doubled.' 'In some places

the accused is stretched on the rack twenty, thirty, forty or fifty times, until the sun shines through his body,' says Ad. Keller. 'Many of the judges are not themselves present during the process of torture, but spend the time in eating and drinking and leave the victims either alone or in the hands of the cruel, clumsy attendants. But many of them lend a helping hand. Thus de Puteo tells how he once saw an official seize the accused person by the hair and bang his head against a pillar, saying: "confess and speak the truth, you villain!"'[1]

Persons threatened with torture often preferred to be executed without further ado, although in that savage age death-sentences were executed with the utmost cruelty.

A foretaste of the torments awaiting them was generally obtained by the condemned persons while in prison. Prison rules in the Middle Ages proper were to a great extent very objectionable. At the same time much was done to alleviate the hardships of the poor prisoners. They were generally allowed to procure their own food, and reports also tell of funds and endowments by which prisoners without means were enabled to get better food. Most of them also were allowed the privilege of being visited by their relations and friends.[2] In the sixteenth and seventeenth centuries, however, there was no longer any question of such alleviations. 'Nowadays,' wrote John Grevius in 1624, 'this is the rule in most tribunals: the instant anyone is placed in a prison-cell, be the cause of imprisonment

[1] Pract. nova crim. pars 3, q. 117, n. 37 sq., 40, 41, 45–57, 62, 63; q. 124, n. 22. For Carpzov's views on the punishment of heretics see present work, vol. x. 226, n. 2.

[2] Kriegk, ii. 48 ff., who also speaks of other alleviations of prison life in the Middle Ages.

what it may, there is an end of all help, all consolation, yea, all hope for the unhappy victim. Ruthlessly the judges cut off from the poor wretch all communication with the outer world, all power of procuring the necessary means for defence and consolation, and so from the first moment of imprisonment the prisoner feels completely lost.' 'According to the evidence of Scripture,' Grevius further remarks, 'the Apostle Paul, when accused of a heavy offence, was allowed visits from his friends, and even Herod did not forbid John the Baptist during his imprisonment to be ministered to by his disciples. Now, however, nobody is allowed to go near the prisoners.'[1]

The same witness gives the following account of the condition of prisons: 'The prisons nowadays are everywhere dank and dirty; they are generally underground and resemble malodorous swamps or gruesome pits. Sometimes they are above ground, and then they are like iron cages, not meant for human beings but for tigers or terrible monsters.'[2]

That Grevius did not exaggerate is shown by the accounts of other contemporaries. The dungeons in which in the seventies of the sixteenth century the Saxon crypto-calvinists were shut up correspond throughout to the description by Grevius. Every means of writing was withdrawn from these prisoners, no book, not even the Bible, was allowed them.[3] If we possessed nothing more than the descriptions of the Westphalian Anton Praetorius, we should have adequate knowledge of the criminal justice of that period. This writer gives the following account, as eye-witness, in a pamphlet first published in 1602, of the prisons of that time: 'Prisons

[1] Grevius, *Tribunal ref. Praef. auctoris*, Bl. d. 4^b–d. 5^a.

[2] *L.c.* Bl. d. 4^b.

[3] See present work, vol. viii. 194 ff.

are generally made in thick towers, gateways, block-houses, vaults, cellars, or other deep pits. Placed in them are often seen large thick wooden boards, two or three laid edgewise one over the other and movable in a framework; through these boards are made holes in which arms and legs can lie. The criminal is seated on a block of wood, a stone, or on the ground: his hands and feet are pulled through the holes, and the boards so adjusted in the framework that all movement becomes impossible to the prisoner. In others there are large iron or wooden crosses to which the prisoners are chained by the neck, waist, arms, and legs, so that they must always either stand, lie, or hang according to the position of the cross. In others there are strong iron stakes, five, six, or seven quarters of an ell long, with iron bands at the ends, in which the prisoners' arms are fastened at the wrists. Midway in these stakes large chains are fastened to the walls to hold the prisoner always in one attitude. In some cases, too, the prisoners have to wear large heavy irons on their feet, so that they can neither stretch them out nor draw them in. Some prisons have narrow holes in the walls in which a man can scarcely sit, lie, or stand; into these the poor wretches are crammed, and shut in with iron doors so that they can neither turn nor move. Others have pits fifteen, twenty, thirty fathoms deep, walled in like wells or cellars in the strongest possible manner, covered at the top with strong doors or iron bars, through which the prisoners, with hands and feet free, are let down with cords, and drawn up again when wanted. Prisons of all these kinds I have myself seen, and I fully believe there are many other varieties, some even more cruel, but some less so and more bearable.'

'Sometimes the cells are so cold that the prisoners' feet get frozen, or even frozen off, and when they are let out they are cripples for life. Some of the poor creatures are left in utter darkness; they never get a glimpse of the sun and never know whether it is day or night. Having no power, or very little, over their arms and legs, they suffer perpetual discomfort; they are obliged to lie in their own filth and stench, in a far more wretched condition than the cattle; they are ill fed, sleep badly, and are plagued with sad thoughts, bad dreams, fears, and anguish. They are tormented and devoured by lice, mice, and other vermin. And besides all this, they are daily loaded with abuse, railing, and threats by gaolers and executioners. In short, the prisoner's life is misery itself. Their sufferings sometimes drag on for two, three, four, five months, sometimes for several years, till they are reduced to idiotcy or semi-idiotcy. Oh you judges, what are you about! What do you think of yourselves? Are you not aware that you are guilty of your prisoners' most horrible deaths?'[1]

Praetorius here touches on a point which is specially significant as regards the corrupt and barbarous condition of the penal justice of that period. Many of the mediæval prisons were indeed cruel enough; but criminal justice, at that time, was swift and rapid in its course. It was another matter in the sixteenth and seventeenth centuries, when justice became slower and the imprisonment of accused persons dragged on and on: then the underground dungeons of the Middle Ages were used for the prisoners' confinement during trial, which, owing to the formalities of a confused and

[1] Praetorius, *Von Zauberey und Zauberern*, 221 ff., by Soldan-Heppe, i. 347–349.

pompous jurisprudence, may have gone on for years. 'The existing prisons now became the sum total of all horrors and tortures, more so than had ever entered the mind of their builders.'[1]

For full ten years the Saxon Chancellor Krell, condemned on account of Calvinistic heresies, was confined in a small room where rain came in at four places, and which was full of dirt and vermin, till at last, on October 9, 1601, he was executed with a sword which bore the inscription: 'Beware, O Calvinist, Dr. Nicholas Krell!'[2] In view of such prisons one can understand a remark of the Leipzig Superintendent George Weierich, in 1609: 'Many dark, uncanny dungeons under the earth are so gruesome that the prisoners would a thousand times rather be dead than alive in them; indeed it has often happened that evil-doers have been found dead in the cells from fear and horror.'[3]

The mode of enforcement of the highest criminal penalty, punishment by death, also became more and more barbarous and cruel after the close of the Middle Ages.[4] Almost always the execution was preceded by

[1] 'One must see the trebly and quadruply enclosed dark dungeons under the Nuremberg town-hall in order to form an idea of what it meant to lie walled in for weeks and years, without light, without fresh air, without the provisions necessary for life, only imperfectly guarded against the cold of winter, plagued with unbearable stenches and vermin, &c.' See A. Streng in the *Beilage zur Allgem. Ztg.* 1881, No. 102. See also Waldau, *Neue Beiträge*, i. 432 ff.: 'Von dem Lochgefängniss in Nürnberg.' Concerning the latter prison, see also Knapp, *Das alte Nürnberger Kriminalrecht* (Berlin, 1896), p. 75 ff. Down to the end of the sixteenth century lifelong imprisonment was still in vogue in Nuremberg: *l.c.* p. 64 ff.

[2] See present work, ix. p. 231.

[3] *Vorrede zu den zweiundzwanzig Leichpredigten des Sebastian Artomedes* (Leipzig, 1609), Bl. C. 4.

[4] Kriegk, i. 197 ff. In Nuremberg from 1515–1580 drowning was the regular capital punishment for women, instead of burial alive, which was

unspeakable sufferings. Perhaps in no epoch of German history were such horrible executions registered as at the period of the Church schism. Often the sentences sound like bloody mockery. Thus, for instance, the punishment of the famous William von Grumbach in 1567 was modified by the Saxon Elector, 'out of native goodness,' to his being 'only quartered alive.' On April 18 this sentence was literally fulfilled on the gouty old man of sixty-four, after he had been tortured for four days previously. 'The executioners,' says an eye-witness, 'cut his heart out of his body and clapped it on his mouth, after which they cut him in four quarters.' Grumbach uttered no sound, whereas his unhappy associate, the chancellor Brück, 'screamed wofully and long when his body was cut open.' Colonel von Brandenstein, the father of twelve children, who was also involved in the conspiracy, had had grace promised him by the Emperor on condition of his fighting the Turks. However, the execution had already taken place when the imperial order reached Gotha. 'Six executioners were engaged for two hours over their slaughtering work. The remains of the victims were stuck on poles and set up in the most frequented streets of Gotha, and left till they rotted.' [1]

Barbarous execution of this sort did not only fall on persons guilty of high treason, but also on other transgressors. In the year 1600 a peasant in a village of the

kept up till 1513. Owing to the shallowness of the water it was scarcely less cruel than the former method. The sack containing the delinquent was pressed down under the water till there was no longer any sign of life.

[1] See Calinich, 280–283, who remarks: 'One would be inclined to place this execution in Turkey did one not know that it took place in the good German, Lutheran town of Gotha, in the year of salvation 1567.' See also present work, vol. vii. 396 ff., and vol. xii. 275 ff.

Voigtland had murdered his wife, his six children, and a maid, because, as he said under torture, 'they had wanted to lord it over him and make him their servant.' He was dragged to his house by brute beasts, and eight times torn with red-hot tongs; then his hands were chopped off, his legs crushed on the wheel, his body cut up in six pieces, his entrails publicly burnt, his head posted up on the spot where he had murdered his wife, his hands nailed under it, and the remaining fragments of his body hung up on the four country roads.[1]

In many places, at Halle for instance, thieves were invariably condemned to capital punishment. Common murder, on the other hand, was often only punished by banishment from the land, especially when it was not a question of persons of low degree. Still more unintelligible does it seem, 'that it was possible that the magistrates of Halle should have granted the wish of a poor devil, who was only to be banished out of the country, and should have allowed him to be hanged in company with a friend who was condemned to death, and to figure as the first ornament of a new gallows near Giebichenstein (January 26, 1582).'[2] Six years later in Frankfort-on-the-Maine a Jew was suspended on the gallows by his feet in such a manner that death only released him on the seventh day.[3]

[1] Müller, *Annales*, 238–239.

[2] Hertzberg, ii. 334 ff. In Hanover murderers and thieves were always executed. Cf. Hartmann, *Gesch. der Stadt Hannover*, 187 ff. From 1545–1647 there were counted up in the small town of Hanover forty-four deeds of murder and manslaughter, and besides these a case of a criminal guilty of nineteen murders! In Frankfort-on-the-Maine in 1575 three men were hung for the theft of a bowl of saffron. See O. Speyrer, 'Frankfurter Kriminaljustiz im 16ten und 17ten Jahrhundert, Sonderabdruck aus der Frankf. Ztg. 28 März, 1, 4, and 6 April, 1900.'

[3] Scherr, *Germania*, 219.

A vivid picture of the barbarity of the criminal justice of that period was sketched by the Englishman John Taylor, who, in August 1616, was present at Hamburg 'with a great crowd of people at the execution of a murderer.' He writes as follows: 'When the culprit reached the place of execution, he was handed over by the officials to the executioner, who was met by two other executioners and their attendants, who had come from Lübeck and from another town, the name of which has escaped me, to assist their Hamburg brother-in-office in his important work. The portcullis was drawn up and the culprit ascended a mound of earth, raised up in order that the people might be able to see the execution from a circuit a quarter of a mile distant. Four executioners' men then took each of them a small cord and held the poor wretch by his hands and feet lying stretched out full length; next, the chief executioner or grandmaster of the ceremonies produced a wheel, about the size of the front wheel of a coach, and having first laid down his hat and doublet and turned up his shirt sleeves, as though he were going to play battledore and shuttlecock, he took the wheel, set it up on edge, turned it round like a top or a turning lathe, and then seizing it by the two spokes and raising it in the air, he brought it down with a tremendous blow on one of the legs of the poor victim, so that the bones were smashed to pieces, and the wretched man howled and screamed most frightfully. After a pause the executioner proceeded to break the other leg in the same manner, and then the arms, after which he struck four or five big blows on the man's breast and smashed his breast-bone to shivers; finally he struck at his neck, and missing his aim smashed his chin and cheekbones; he then took the battered,

mutilated corpse and spread it out on the wheel, drove an enormous stake through the axle of the wheel and planted it about six feet deep in the earth and about ten or twelve feet above the earth, and there the body was left exposed till all-devouring time, or ravens, should make away with it. Such was the appalling way in which this execution was carried out, and there stand on this same spot twenty stakes with wheels, or pieces of wheels, with men's heads stuck on them. The manifold kinds of torture which were practised on evil-doers in these lands make our English method of hanging seem a mere flea-bite.' 'They have most wonderful and ingenious devices here,' Taylor goes on, 'for torturing and tormenting. People who from malice intent have set houses on fire are smoked to death in this wise. First a stake is fixed firmly in the earth, and, at about the height of an ell, a piece of wood is nailed across it, and on this the malefactor is made to sit, being tightly bound to the wood. Then a great barrel of tallow is turned over the top of the stake so that it covers the culprit down to about the middle of his body. Then the executioners come with a few bundles of wet straw or hay or suchlike, which they kindle, but which being damp and wet only smoulders, while the smoke goes up into the barrel in which the culprit's head is stuck, and the convulsions of the body show that he remains alive for three or four hours.' [1]

To horrible executions of this sort young and old, women and children, flocked in crowds. The Electress Sophia of Saxony, in 1601, had the scaffold, which the crypto-calvinistic chancellor Krell was to mount, taken

[1] *Zeitschr. des Vereins für hamburg. Gesch.* vii. 462–463.

down and brought nearer in order that she and her court ladies might see the sight. In many places the school children were formally instructed by the authorities to be present at gruesome executions in order 'to profit by the example.' This same purpose also was supposed to be served by the numerous pictures and descriptions of the most barbarous tortures in the 'Verbrecher-Zeitungen' (criminal newspapers) and criminal songs. It stands to reason, however, that precisely the opposite was effected; the most abominable crimes by this means came to be looked on as everyday occurrences.[1] Altogether the dreadful criminal practice, which convicted by torture and lined the military roads with gallows-trees and wheels, produced growing depravity among the people, and to a very great extent hatred of justice. Thus in his 'Kriminalpraxis' the oft-mentioned Jodokus Damhouder complains that 'on a summons to help the people run away, or refuse all help, and, leaning on their sticks, await the outcome of the struggles, and even refuse all support to the guardians of public safety and give shelter and protection to the robbers and thieves.'[2]

Could it be otherwise at a period when the judges not seldom exceeded the executioners in barbarity? 'Even when the sentence of death had been pronounced, the judges still took delight in ordering another bout of torture, only perhaps a couple of days before the execution, so that the criminal generally came to the place of death crushed and prostrated beforehand. At the time of the burgher tumults in Brunswick in 1604

[1] See present work, vol. ix. 228 ff. and vol. xii. 272 and 275.

[2] See Malblank, *Gesch. der peinlichen Gerichtsordnung Karls V.* (Nuremberg, 1783), p. 84.

the imprisoned associates of the vanquished party were ordered at their trial to say "Yes" to all questions that were asked them. If they hesitated, their hands were bound so tightly behind their backs with catgut that the blood streamed down from them and oozed out from under their nails. Then the questions were put a second time. If the answers were not satisfactory, a cord with a hook was let down from the ceiling of the torture-chamber, the hook stuck into the cords on the culprit's hands, and the poor wretch drawn up on the roller. As he generally fell into a faint and was unable to answer, the Spanish boot was applied, under pretext that his silence was mere obstinacy, and screwed on so tightly that not his flesh only, but often his bones also, was pounded up. At this point the victim generally was aroused and screamed out that he would say yes to everything. A trial of this sort was a feast for the deputy members of the bench of judges. They sat on green cushions at a table covered with a green cloth and indulged, at the expense of the exchequer, so freely in wine and comfits, that they either became, as it were, infuriated, or else sank down with their heads on the table in drunken sleep, while the poor tortured person was crying out, for the love of Jesus, for a few drops of water to drink, or a moment's respite from his agony. Sometimes he was kept six, eight, even nine hours, with only short pauses, hanging in the roller, till the gentlemen of the bench had returned from their carousing, or meanwhile the articles of the trial had been read to him with the greatest circumstantiality. When at last the trial was ended and the executioner had reset the culprit's shoulder blades, the latter was asked whether at the "Urgicht" (the trial after torture) he would again

say yes to all the same questions. If he answered in the negative, the process of torture was repeated in an intensified manner, and the mangled body was sprinkled with burning brimstone and burning candles were placed under the soles of the feet.'[1] In order to escape all this agony the accused generally answered all questions with 'Yes.' Thus, for instance, in that Brunswick trial, the town-captain Henning Brabant said yes to all that was asked him about his supposed intercourse with the devil. The 'devil's confederate' was executed on September 17, 1604, in a frightful manner. An 'Erschröckliche Zeitung' concluded an account of this execution with the words: 'In such fashion all devil's confederates and all wicked agitators against the religious and secular authorities ought justly to be punished. Therefore let everyone beware of the snares of the devil into which Brabant has fallen.'[2]

However, just because the people believed in an irresistible influence of the devil, the cruelest punishments remained ineffectual; this demoniacal influence was advanced as an excuse. Criminal trial acts often contained the exonerating statement that Satan had been the instigator of the crime.

To the spread of this belief in the unbounded might of Satan the founders of the new Protestant Church had enormously contributed.[3]

It is one of the chief characteristics of Luther that in his intellectual life, in his social intercourse, in speech, in writing, and in preaching he always brought in the

[1] v. Strombeck, *Henning Brabant*, 52. Menzel, v. 132–134.

[2] See present work, vol. xii. 380 ff.

[3] See Döllinger, ii. 424, and the present work, vol. ix. 158 f.

devil, attributed far more influence and importance to him than is warranted by Scripture, and by his writings gained for him in Germany a popularity which he had never before enjoyed. As this had worked with coarsening and damaging effect on theology and preaching, so did it far more even on popular opinions, popular habits, popular literature,[1] and also on criminal justice. All the slumbering germs of superstition both among the rude masses and the higher circles were by this means awakened and set in motion. The more the effectual methods of salvation instituted by God, the Sacraments and sacramentals were mocked and despised, the more did empty, fraudulent, absurd superstition and devil worship grow up among the demoralised people. They ridiculed the blessing of the Church in order to curse and swear the more freely. They mocked the pictures and relics of the saints in order to carry on the most abominable superstitious traffic in hairs and bones of animals. They knocked off the head of the image of the immaculate Mother of God, in order day and night to give themselves up to the devil. The devil was formally enthroned in the people's life and literature. There was more talk about him than about God.

The demoniacal penetrated to such an extent into the minds of the people that even the most sensible of the preachers, who wished to combat the superstition,

[1] W. Kawerau remarks in his criticism of the work of M. Osborn, *Die Teufelsliteratur des 16ten Jahrhunderts* (Berlin, 1893): 'What is most characteristic of the devil's literature of that period, as also of the "Theatrum Diabolorum," is the fact that we see in it a speciality of Lutheran popular literature, which, if not directly called forth by Luther, was at any rate chiefly influenced and most strongly fostered by him.' *Allgem. Ztg.*, Beil. vom 5 Juni, 1894.

were unable to rid themselves of it. In the papacy, in all the tendencies of Protestantism that were hostile to them, in the whole state of moral decadence as well as in the individual vices of the age, they saw only the devil, no longer the human share, the evil desires, the abuse of freedom, the effects of bad education. In this respect, also, Luther's teaching had a terrible result. With his denial of free-will it was natural that the devil should be held answerable for all sin and wickedness, and that he should attain a supremacy such as he had hardly possessed in the higher conceptions of paganism, in which fine, artistic, humanly imagined myths veiled the demoniacal element.

When this doctrine of unfree will, even though now and again altered and modified, spread over Germany, superstition and the witch craze had already to a great extent gained firm foothold in the land. Instead of encountering these abuses chiefly with instruction, with the practice of genuine fear and love of God, prominent jurists and theologians had made it their aim to root out the evil with the harshest and cruelest methods of law; while craftily pursuing popular superstition into its remotest hiding-places, they developed witchcraft into a regular juridical system, thereby, however, only aggravating the evil, for with the severity of their measures the number of witches increased steadily. Far removed from stemming the fatal aberration, as it had been juridically embodied in the 'Witches' Hammer,' the new teaching only strengthened and disseminated the long-dominant tendency to superstition, and so, on the fermenting marshland of general licentiousness, depravity and corruption, favoured by numberless aberrations of learning, fostered by immoral

and superstitious popular literature and a barbarous code of criminal justice, the belief in witches and devils grew to that monstrous phenomenon whose weird horror, towards the end of the sixteenth century, overshadows all other features of German civilisation.

CHAPTER III

WITCHCRAFT AND PERSECUTION OF WITCHES DOWN TO THE RELIGIOUS REVOLUTION

SCARCELY any form of degeneracy in religious belief has perpetuated itself in history in so gruesome a fashion as the mania for seeing everywhere, even in the most natural events, nothing but sorcery and witchcraft.

From the earliest times of Christianity witchcraft had been regarded as criminal intercourse with evil spirits for the accomplishment of superhuman things. All Church teachers, backed up by the Scriptures of the Old and New Testament,[1] pointed out that the warrant for belief in such intercourse, namely the existence of evil spirits and their divinely sanctioned influence, in greater or less degree, on the earthly world and on human beings, belonged to the doctrines of revealed religion, and that neither the possibility nor the reality of such intercourse could be questioned. The Christian apologists of the first century and the Church Fathers fully agreed in regarding demons as the actual instigators of sorcery or witchcraft. Man, however, was able to oppose strong resistance to their suggestions and enticements, and the spiritual agencies of the Church,

[1] ** See 1 Kings xxviii. 8 (Witch of Endor); Acts viii. 9–24 (Simon Magus); xiii. 8 (Elymas the sorcerer), xvi. 16 (a damsel possessed with the spirit of divination), xix. 13, 15 (people possessed with evil spirits).

the Sacraments, and the sacramentals were a help, protection, and comfort to him in the conflict. But, on the other hand, man could yield to the influences of the devil, place himself voluntarily in his service, and by a regular abjuration of the Christian faith and complete apostasy from God enter, as it were, into compact with the wicked enemy. Apostasy of this sort from God and such full surrender to the powers and the kingdom of the devil, which often went to the length of worship of Satan, constituted the worst form of heresy, 'the abysmal foundation and the topmost summit of all heresy whatsoever.' [1]

[1] ** Of the Church Fathers, see especially St. Augustine, *De civ. Dei*, lib. 21, cap. 6; *De doctrina christiana*, lib. ii. cap. 23, and *De Genesi ad literam*, lib. 2, cap. 17. Quite on the same standpoint is also the teaching of St. Thomas of Aquinas: *Summa theol.* 2, 2, q. 95, a. 2 et 3; q. 96, a. 1 et 2. See Schanz in the *Theol. Quartalschr.* 1901, p. 33. How far in particular cases the power of the devil extends over man and the visible manifestations of nature, is a question which has greatly occupied theologians from the earliest down to the present times; the Church itself has not spoken decidedly on the matter. European Christianity, however, existed for centuries side by side with ancient paganism; Manichæism transplanted the complicated demon-worship of the Persians into the Christianised portions of East and West; the Germanic nations brought with them a gloomy belief in devils; thus heresy, superstition, and false belief never quite died out, and most of the heresies were mixed up with superstitious ideas. The shepherds of the Church, therefore, as well as the earliest councils, saw themselves compelled now and again to take measures against heretical teaching, against magic and sorcery, against popular superstition, and against pagan, or semi-pagan, false beliefs. Cf. below. Concerning the opinions of the early Church on sorcery, see also Hansen, pp. 21–31; for the utterances of scholars on the subject, see p. 151 ff. of the same author; Riezler, p. 41 ff. Both these authors, in a most one-sided manner, and with ever-recurring attacks, make the Catholic Church and theology, especially scholastic, chiefly responsible for the witch-persecutions. Riezler, at any rate, allows its full weight to the pagan element in the witch craze and does not ignore the conflict waged against sorcery by the early Church (pp. 21 ff., 26); in Bavaria he finds this 'healthier tendency in the church attitude towards sorcery actually the dominant one till far into the sixteenth century' (p. 32). Side by

This is the view of sorcery and witchcraft set forth, for instance, in the famous, so-called, Ancyran *Canon Episcopi*, which was incorporated in the ecclesiastical law. 'The Bishops and their assistants,' so runs the preface, 'must work with all their might to eradicate entirely from their dioceses the corrupting arts of sooth-saying and sorcery invented by the devil; whenever they

side with the pagan belief in sorcery, however, Riezler recognises a church belief in the same phenomenon, which, according to him, was introduced among the people by the Church (p. 36 ff.). This 'unhallowed tendency,' he says, 'came in with the thirteenth century, and affords one of the most convincing proofs of the danger to true religion which overweening ecclesiastical power bears within it' (p. 36). This 'church belief' in witches, he says, was the invention of the inquisitors after the thirteenth century (p. 37 ff.); '*this indeed cannot be actually proved, but it is self-evident to those to whom the gift of historic insight has not been wholly denied*' (p. 38). 'Only when we do not blindly exclude the idea,' Riezler further remarks, 'that the belief in witches was powerfully supported by the Church, does the fact that such a superstition should for centuries have dominated even the cultivated classes, lose its enigmatical character.' (Where, however, do the Protestants stand in the matter?) At p. 53 f. Riezler works himself up against 'the modern apologists of the Church' on the question of the 'Church's belief in witchcraft.' Towards the end of the fifteenth century, he says, 'an intelligent movement of opposition to the witch craze and to witch persecution, a movement in full correspondence with the growing culture of the humanist period' (here Riezler forgets that at p. 67 he has conceded to Dr. Hartlieb, the much-travelled physician, diplomat, *humanist*, and connoisseur of literature, a man standing on the topmost intellectual heights of his age, a belief in the power and manifold working of the devil on earth) 'was stirred up in the German nation and among the secular tribunals of Germany' (p. 81 ff.) 'and gave cause to hope for the best of fruits.' But through the appearance of *Summis desiderantes* (bull on witches) and the *Malleus* (Witches' Hammer), which he now holds responsible for the whole after course of events (although the epidemic manifestation of witch-persecution only begins towards the end of the following century), 'the exact opposite happened.' Even when in the sixteenth century trials for witchcraft were made over to the secular law-courts, 'they still remained a matter of religion, though not in full purity' (p. 48 ff.). Still more radically does Hansen go to work. For him it is *the Christian doctrine of a kingdom of pure spirits which is the origin and cause of all the aberrations of the superstitious belief in witches*

find a man or a woman given up to this vice they must turn such persons out of their dioceses as disreputable characters. For the apostle says: "A man that is an heretic, after the first and second admonition reject" (Titus iii. 10). "Perverse and wicked are those, and they will be held captive by Satan, who have forsaken their creator and who seek the help of the devil," and therefore,

and sorcery, while on the other hand he considers the elements of popular superstition in this respect, inherited from heathendom, as harmless in themselves. Not only the Church Fathers, especially St. Augustine, but even the Holy Scriptures of the Old and the New Testament are subjected to the severest criticism from this point of view. The scholastics come off very badly: they are said to have evolved the notion of witches which inspire the later procedure in witch-trials, and they are treated as if the pages of their works were full of nothing but witch-superstitions. 'It was through the harmonious co-operation of theological speculation and inquisitorial practice,' as Hansen with untiring reiteration assures his readers (see, for instance, pp. 305 ff.) 'that the fantastic theories about witches grew, since the thirteenth century, in the brains of the cultured classes.' The merit of having finally put an end to witch-persecution is due solely, in Hansen's opinion, to the modern naturalistic philosophy of life (see pp. vii. 2 ff., 537 ff.), while the elements of superstition on which this persecution was based are even now, almost without exception, kept up in the doctrines of the accredited religious systems of the day (p. vii.). Hansen differs in yet another point from Riezler: he condemns words of abuse, such as forgers, &c., with which Riezler abundantly loads historians of other opinions, especially Janssen-Pastor. To such a method I make no reply; he who adopts it only injures himself. Against the imputations of blame to the Church for having assigned dogmatic value to the witch-superstition, and especially against Riezler, Duhr remarks (*Die Stellung der Jesuiten*, p. 20): 'The mode of argument suffers from an inward and fundamental error: it confounds the teachings of theologians with dogmatic decisions and doctrines of the Catholic Church. To the quintessence of almost all witch-trials belong witch flights and dances and devil's courtship, and yet these things were *never* regular dogmas of the Catholic Church.' Witch-flights and witch-dances have no place in any Papal bull, and even if they had, they would not thereby become church doctrines, any more than devil's courtship, although the latter in the Bull Summis desiderantes is included in the list of crimes reported on by the inquisitors in Germany. True it is that many theologians ought to have gone to work more cautiously and critically; but this is equally true, if not more so, of the jurists.'

from a pest of this sort, the Holy Church must be purged.'

The Canon brings forward proofs to show how much of the old heathen belief in magic had still been retained among the people who had become Christian. Among the Greeks it was believed that human beings could change themselves into wolves; Thessalian women, by means of their salves, change human beings into birds, donkeys, or stones; they themselves fly up into the air to carry on courtships, and actually have power to bring down the moon from heaven. The goddess Hecate was regarded as the black goddess of night, as the president of all the occult and nocturnal arts of magic. Among the Romans it was believed that sorcerers and sorceresses had the power to cause good or bad weather, and to destroy the crops in the fields; that by demoniacal might they governed nature and could injure and heal, excite hatred and kill. The witches (Strigae and Lamiae) fly about at night killing children, and enticing by the wiles of love those whom they wish to put to death.[1] 'Still now, even,' says the Canon, 'there are certain wicked women who, misled by the wiles and tricks of the devil, believe and declare that in the nocturnal hours, with Diana, the goddess of the heathen, or with Herodias, and in the company of several other women, riding on certain animals, they can in the midnight stillness traverse many lands, and they say that they must obey

[1] ** Concerning the magic of the ancients and its connexion with the Greek and Roman state religions and the Pythagorean and Platonic philosophy, see Döllinger, *Heidentum und Judentum* (Ratisbon, 1857) p. 656 ff. See also Paulus, *Real-Encyklopädie*, s. v. Magie iv. 1365–1420, especially on the Strigae et Lamiae; *l.c.* iv. 1391, on the Thessalian women, 1394, and the sources there quoted; on Hecate, *l.c.* iii. 1085 ff., see Baumstark's article.

the orders of their Queen in everything, and that on stated nights they are ordered off on her service. And these women who have thus fallen away from the faith have not only gone to ruin themselves, but they have dragged many others with them into the destruction of unbelief. For countless numbers have let themselves be led away by this false superstition and have come to regard those things as true; they err, in that they believe in them, from the right faith, and they become entangled in the errors of the heathen, for they believe something to be divine or a deity which is outside the one true God. Therefore the priests in the churches entrusted to them must preach to the people of God with all earnestness, and teach them that all these things are nothing, and not from the Spirit of God, but from the wicked spirit who puts false ideas into the minds and hearts of believers. Satan, who can take on the appearance of an angel of light, directly he has taken captive the mind of some woman or other and subjugated her by means of her unbelief, changes into all sorts of forms, conjures up in dreams before the soul he holds in his power now joyful scenes, now sad ones, now known, now unknown persons; and the victim believes that all these visions are not merely imaginary, but real and actual. Who has not seen in dreams and visions of the night things which in a waking state he has never beheld? And who would be so simple and foolish as to believe that all that he saw only in the mind existed also corporeally? Therefore it must be proclaimed to all people that anyone who believes such things has lost the true faith: and whoever has lost the true faith belongs not to God but to the devil. By the Lord it stands written that all things were made by Him; whosoever, therefore, believes

that any creature can be changed into a better or a worse form, or into any other form, except by the Creator Himself, that person is without doubt an unbeliever and worse than a heathen.' [1]

The opinion expressed in recent times,[2] that the superstitious ideas alluded to were introduced into Germany by the Romans, is very one-sided.[3] On the contrary, no less luxuriantly than among the Greeks and Romans, indeed far more fantastically, gloomily, and uncannily than with these nations, did superstition and sorcery develop among the Germanic peoples. They grew naturally out of the Germanic system of deities, which, not content with a stately host of higher divinities, peopled earth, sea, air, and the

[1] The Canon appears first in an instruction on diocesan visitations written by Regino, Abbot of the Convent at Prüm († 915). For fuller details about the Canon, see Soldan-Heppe, i. 130, note 3. Soldan says erroneously (i. 131) that the Canon rejects altogether the possibility of demoniacal sorcery. ** See the genuine Canon of the Synod of Ancyra in Hefele, i. (second edition), 241. See now, Hansen, 78 ff.

[2] ** By Soldan-Heppe, i. 104 ff.

[3] ** Riezler also writes (p. 10): 'It is indisputable that the witch-superstition absorbed into itself strong elements of the old Germanic popular belief. In spite of the connexion between heathen Germanic and classical notions, we may perhaps venture to say that the content of the witch-superstition which lay at the bottom of the great persecutions of the fifteenth century—in so far as it includes primitive heathen elements—is rooted more in the Germanic than in the Roman mythology.' See also p. 12 on the 'old Germanic witch-superstition' in Saxony, and how it was combated by the Christian legislator Charlemagne. On the other hand, Riezler says in opposition to Grimm, p. 14: 'Of any connexion with the later Witch Sabbath, with sacrifices and popular assemblies among the heathen Germans, there is certainly no question.' At p. 18 ff. he refers again to the 'allusions' in the literature of the Middle Ages to the existence of a popular superstition which as undoubtedly originated in Germanic heathendom as it was connected with the belief in witches. P. 26 ff. he brings forward the evidence for the existence of a belief in magic in Bavaria in the eighth century.

underworld with an immeasurable multitude of giants, hobgoblins, elves, dwarfs, wights, and imaginary creatures of all sorts; which did not exclude matrimonial alliances between men, giants, and gods, and which invested human beings, who were under the influence of these higher beings, with all the wonderful powers which were attributed to gods and demi-gods.[1] The conception of the magic power grew to such an extent that, during the slow decline of heathenism, it attached itself to the gods themselves and the deities came to be regarded as magicians; this idea is embodied by Snorri Sturluson († 1241) in the Ynglinga Saga. As in Snorri, so, too, in other original sources, women especially appear as mediums of sorcery, and the typical figure of the northern sorcerers, made up of a variety of features, corresponds exactly to the idea of a witch, except that later ages regarded as demoniacal that which in heathen times was considered godlike and wonderful. These sorceresses understood the language of birds and the art of soothsaying, could make themselves and others invulnerable, and could raise the powers of the body to a supernatural state. Their runes and magic incantations conferred skill and eloquence, victory in battle, protection from poison, healing of wounds, help in storms, deliverance of women in difficult childbirth. They were able to raise the sea and to quiet it, to control fire, to dam rivers, to bring on floods, to call up spirits and then scatter them again to all the winds, to excite sexual passions, to bewitch animals, to bring back men and women and monsters

[1] ** J. Grimm, *Deutsche Mythologie* (3rd. ed. Göttingen, 1854), pp. 983–1059. Cf. K. Simrock, *Handbuch der deutschen Mythologie* (5th ed. Bonn, 1878), pp. 469–478.

from death. Like Wuotan and Frouwa they could change into wolves and cats, the sacred animals of those gods; they could fly through the air in feather-garments like swans or geese; they rode through the air in the morning and evening on wolves and bears and assembled in troops at nightly solemnities in the places where of old sacrifices and meetings had been held.[1]

[1] An exhaustive comparison between ancient mythology and mediaeval popular superstition and the later development of belief in witchcraft has been drawn by James Grimm: 'Down to the most recent times we can trace a distinct connexion between the whole system of witchcraft and the sacrificial rites and the spirit world of the ancient Germans' (*Deutsche Mythologie*, 997). The fact that women played the principal part in German sorcery and witch-superstitions he explains as follows: 'The various terms of nomenclature of sorcery has led us to the ideas of doing, sacrificing, spying, soothsaying, singing, blessing, dazzling, cooking, healing, and reading. They show that magic was carried on by men as well as by women. Our earliest antiquity, however, has attributed the art chiefly to women.' 'The reason of this is to be sought for in all the outward and inward conditions. Women, not men, were entrusted with the selection and concoction of powerful means of healing, just as with the preparation of the daily food; preparing salves, weaving linen, binding wounds, their soft, tender hands could do the best; the art of writing and reading letters and words was assigned chiefly to women in the Middle Ages. The disturbed existence of men was filled with war, hunting, agriculture, and manual labour; women had the qualification of experience and comfortable leisure to fit them for occult magic. The imaginative powers are warmer and more susceptible in women than in men, and hence an inward, holy power of soothsaying has been attributed to them. Women were priestesses and soothsayers; Germanic and northern tradition has handed down to us their names and their fame; somnambulism is still at the present day most common in women. Again, looked at from one point of view, we find that the art of magic belonged especially to *old women*, who, dead as it were to love and work, gave up their whole time and thoughts to secret arts.' 'Popular fancy in its varying moods attributes varying connexions of Norns and Volvs, of Valkyries and Swan-Virgins with divine beings and sorceresses. It is on all these things together, or a mixture of natural, fabulous and imaginary events, that the mediaeval belief in witchcraft rests. Fancy, tradition, knowledge of means of healing, poverty, and leisure have made sorceresses out of women—the two last reasons, also, have made sorcerers out of shepherds.' J. Grimm,

In the tenth century, Bishop Burchard of Worms († 1025), on the basis of the *Canon Episcopi*, wrote a special 'Beichtspiegel' which described in greater detail the witch-superstition still developing among the people of Germany and connected with old Germanic heathendom. Burchard decreed that every penitent at confession should be asked the following questions: 'Have you put faith in the assertions of some people that they can raise storms or change the hearts and minds of men? Have you believed that there are women who by magic art can change the dispositions of human beings, turn hatred into love and love into hatred, or by their witchcraft injure or steal the possessions of other people? Have you believed that there is any woman who could do what some women, deceived by the devil, assure us that they are obliged to do; namely that with a troop of devils, who have changed themselves into the form of women (whom the stupidity of the people calls sorceresses) they are obliged on certain nights to ride

Deutsche Mythologie, 84 ff., 369, 85 ff., 374–375, 991. Instead of this explanation, which lies in the very nature of things, of the fact that the female sex was also the chief victim of the later persecution of witches, Hansen, true to his whole tendency, here again puts the blame on the Church, and actually this time on the ascetic tendency of Christian theology (p. 483 ff.), which, in his opinion, 'has led to contempt for women, and in the time of witch-persecutions was a cause of immediate danger to their sex' (p. 485). Riezler writes (p. 11): 'Even according to the heathen showing witches were, by a very great majority, women, who by supernatural (sic!) influence damaged the property, health or lives of human beings.' At p. 185 ff. Riezler expands in a thoroughly erroneous manner on the 'mediaeval ascetico-scholastic view of women, compounded of fear and depreciation'; Luther also 'is under the spell of this opinion' (p. 186). 'Next to this ascetico-scholastic view of the representatives of the Church,' he says at p. 187, 'we must remember in the second place that pagan belief had already attributed the power of witchcraft chiefly to women, and also that witch-trials sometimes arose out of the gossip of neighbours.'

on animals and be reckoned among their company?'[1] If the penitent answers these questions in the affirmative, a corresponding penance must be imposed on him for every superstitious offence.[2] As regards the belief in 'weather-making,' Agobard, archbishop of Lyons, wrote as early as the ninth century, that there was in his neighbourhood a general superstition, shared by all towns, that hailstorms and thunderstorms were produced by human caprice, namely by the sorcery of those who were called 'tempestarii,' or weather-makers. It was also believed that these 'tempestarii' carried away the fruits, which had been knocked down by tempests, into other lands in airships. Persons suspected of being weather-makers of this sort were in danger of being stoned.[3]

Pope Gregory VII. on April 19, 1080, enjoined on

[1] ** See Riezler, 25, where there are fuller details on the corruption of this text.

[2] See Fehr, *Der Aberglaube und die katholische Kirche des Mittelalters* (Stuttgart, 1857), pp. 114–125. ** See also Hansen, 78 ff., 82 ff., and Riezler, 24 ff. (Riezler, p. 18, makes the discovery that Burchard of Worms, praised by Hansen as an 'enlightened man,' 'was a serious precursor of the jesuitical moral casuistry.')

[3] H. J. Schmitz, *Die Bussbücher und die Bussdisziplin der Kirche* (Mayence, 1883), p. 308. Fuller details about the church ordinances against the *immissores tempestatum* are given at pp. 309, 460, 479, 577, 663, 811. At p. 460, for instance, in the so-called *Arundel Penitential* we read: 'Qui aliqua incantatione aeris serenitatem permutare temptaverit . . . 3 annos peniteat.' For Agobard of Lyons, see also Hansen, p. 73 ff. Hansen calls him, like Regino of Prüm and Burchard of Worms, 'an enlightened man,' but connects also with this praise the following unfounded charge against the Church: 'If Agobard ends with the statement that in his time the folly of the world had grown so great that "Christians nowadays believe things so silly that formerly no heathen would have believed," we see in this growth of superstitious notions (a growth also emphasised by Hinkmar) an effect of the education of the people through church manuals of confession, and the sanction which this old superstition had obtained through the practice of confession.'

King Harold of Denmark that 'he must no longer tolerate among his people the gruesome superstition according to which Christian priests or wicked women were held answerable for bad weather, storms, unfruitful years, or outbreaks of plagues.' [1]

Down to the thirteenth century, even after civil

[1] Gfrörer, *Gregor VII.*, vol. iii. 126. ** Cf. the article 'Gregor VII. ein Hexenverfolger' (against Gebhart's assertion in the *Revue des deux Mondes*, 1891, October), in the *Stimmen aus Maria-Laach*, 1891, vol. xli. 599 ff. 'In this letter of the great Pope,' says Hansen (p. 96) in praise of Gregory VII., 'there speaks an enlightened mind which extends far beyond the horizon of many of his successors on the Roman See.' In Germany also, in the earlier Middle Ages, the clergy were opposed to witch-trials. L. Weiland, in the *Zeitschr. für Kirchengesch.* (ix. 592 ff.), draws attention in this connexion to a contemporary record from the Benedictine abbey Weihenstephan near Freising (*Mon. Germ. Hist.*, 88, 13, 52) concerning an act of popular justice in 1690, which contains all the elements of the later witch-trial: informing by enviers and haters, water probation, torture, and the stake. The water trial proved favourable to the poor witches, the two-fold torture they endured without uttering a single confession; but nevertheless they were burnt. 'The narrative,' Weiland goes on, 'is an eloquent proof of the attitude which the clergy of the early Middle Ages held towards such outbreaks of the old heathen popular spirit. The monk of Weihenstephan regarded the women who were burnt as martyrs, the masses of the people as possessed by the devil; that anything of the sort could take place he ascribes to the decline of church discipline during a conflict between two antagonistic bishops. That later, also, many of the German clergy did not share in the foolish belief in witchcraft, but rather condemned it as apostasy from the true faith, and as the work of the devil, is shown by an exhortation to the priests' (also published by Weiland, *l.c.* xii. 333 ff.), from a writer at the close of the twelfth or the beginning of the thirteenth century, on fol. 126 of the Bamberg MS. P. i. 9. Hansen, at p. 119, denies the persecutions which Weiland deduces from this incident. Reizler, 29 ff., remarks that 'this case of Weihenstephan was the oldest and, during the whole of the Middle Ages, the only certain and credible case of witch persecution in Bavaria,' though he allows that 'at that time there were also judicial witch-persecutions.' 'The barbarous justice of the people sprang from a superstition, which with greater verisimilitude may be regarded as a heathen survival.' 'In refreshing contrast stands the attitude in which the ministers of the Church here appear, to that of their more influential successors from the sixteenth to the eighteenth century.'

legislation in Germany against sorcerers and witches sanctioned death by fire, the Church only approved of disciplinary punishments against these offences and exclusion of the offenders from the communion of the Church, and never called in the arm of secular justice to the bloody chastisement of those accused of sorcery.[1]

But things assumed a different shape after the belief in demons and in witchcraft was strengthened by the appearance of gnostic-Manichaean sects which taught that there were two conflicting, equally powerful principles co-existing from eternity, a good principle and a bad principle, and that the bad principle was lord and ruler of the material world. As allies of the bad principle, heretics, Cathari, Albigenses, Waldenses, Luciferanians, and other sects, also widely distributed in Germany, were accused of terrible crimes; the devil, adjured with certain formulæ of prayer, visited them during their assemblies, and led them into every imaginable vice.[2] The 'black death,' which in the fourteenth century carried off almost a quarter of the population of Europe, was largely regarded as a work of diabolical powers; the general consternation rose in countless

[1] See Hansen, pp. 77 ff., 112, who, however, in a one-sided manner, makes the Church responsible for the intensifying of secular legislation against sorcery; as in the old Roman empire, so, too, in the Germanic empires, 'as Christianity penetrated more strongly into the German spirit and transformed the conception of criminal justice' this very influence sharpened the penal laws respecting sorcery and magic (p. 61 ff.).

[2] See H. Haupt, 'Waldensertum und Inquisition im südöstlichen Deutschland bis zur Mitte des 14ten Jahrhunderts,' in Quiddes' *Deutsche Zeitschrift für Geschichtswissenschaft*, Jahrg. 1889, pp. 285–330. ** Cf. Hansen, p. 214 ff. 'It is undeniable,' he says at p. 240, 'how much encouragement was given to the beliefs in demoniacal influences and the intercourse possible between human beings and demons by Catharism in consequence of its dualistic philosophy.'

cases to frenzy. The 'Flagellants' flocked in, thousands through the land, and in the midst of their wild dances proclaimed the rule and the victory of Satan. 'Magic potions for protection against the Black Death,' writes a Rhenish clergyman in 1434, 'were brewed at secret, nocturnal gatherings, dissolute banqueting was carried on and the old heathen belief in manifold, occult, magic arts and the flights of witches gained increased strength, especially in the Rhine lands and in South Germany. Church ordinances were to a great extent powerless to stop the evil.'[1]

Thus, for instance, a Treves Synod of 1310 had renewed with increased severity the old Church decree: 'No woman shall give out that she rides about at night with the goddess Diana, or with Herodias and an innumerable company of other women: for it is diabolical imposture.'[2]

How deeply the belief in sorcery and witches, in the transformation of human beings into wolves, in changelings bred of wicked women by the devil, was rooted among the people, is seen from numbers of clerical instructional books which combated these beliefs in the most resolute manner.[3]

[1] Quoted in *De imposturis Daemonum* (1562), pp. 24–25.

[2] v. Hefele, *Konziliengesch.* vi. (2nd ed.) 492. Fuller details concerning these synod ordinances of the fourteenth and fifteenth centuries against sorcerers, soothsayers, and exorcists and so forth are given in Fehr, *Der Aberglaube*, 148–163.

[3] ** Hansen (p. 403, n. 1) declares that in Janssen-Pastor, viii. 500 ff. (German: earlier edition) this literature is spoken of in a thoroughly arbitrary and one-sided manner. The arbitrariness and one-sidedness, methinks, are on the side of Hansen, when, without quoting at all from the texts, he only says of these manuals of confession for sorcery (p. 403 ff.): 'They handle the cases dealt with in connexion with the first of the ten commandments, and, moreover, in the old fashion. Their treatment of witchcraft goes to show that the reality of magic influence was also

Stephan Lanzkranna, provost at St. Dorothy's in Vienna, in his 'Himmelstrasse' of 1484, classed among the greatest sins: belief in women who rode about at night, night-mares, hobgoblins, were-wolves, and other such heathen, nonsensical impostures. 'Oh how great is the blindness, unwisdom, and deception of such people! Suchlike idiotic opinions and false inventions and superstitions are so plentiful, even, alas, among those who call themselves Christians and want to be regarded as Christians, although in truth they are more heathen than Christian.'[1]

In a manual of confession of 1474 the penitent is asked among other things with regard to superstition and belief in magic: 'Have you practised magic on any, or let yourself be practised upon, bewitched anyone or let yourself be bewitched? Have you believed in the good fairies, and in the "little-folks"? Have

believed in by the Church, and the practice of those magic arts, which the confession inquired into, were forbidden as sinful transactions; on the other hand, the belief in the night-faring women, for whom people still decked the *tabula fortunae*, is dealt with in the traditional way by the priest as superstition and as such forbidden: they are said to be demons in human form, not real women, who float about at night.' 'Moreover Riezler (p. 31 ff.), who is here certainly above suspicion in his tendency, points out, with reference to Stephan Lanzkranna and kindred cases, how the old church opposition to the belief in the reality of witches, comes out again clearly here.' 'Indeed in the official representatives of the Bavarian Church,' says the same writer (p. 32), 'in the Bavarian metropolitan and diocesan synods, this healthier tendency remained the prevalent one down to the threshold of the witch-trial epidemic, till far on in the sixteenth century. If we pass in review the constitutions of these assemblies, we get the impression that either the bishops fought shy of a description of this ugly chapter of history, in which, within the church, two discordant opinions existed side by side, or else that the witch-superstition only manifested itself slightly. Probably both these causes were at work together, for sorcery is markedly seldom alluded to in the synodal resolutions.'

[1] Geffcken, Beilagen, 112–113.

you superstitiously believed in the weather-witches? Or in the changing of children? Have you ever bought any wind from a sorceress?'[1]

A Lübeck confession-book, 'Das Licht der Seele,' of 1484 set the following questions to be asked of penitents: 'Have you done harm to anyone with the devilish art? Have you practised magic or witchcraft with the holy Sacraments? Have you believed that people can become were-wolves? Have you believed in the good fairies? Have you believed in the dwarfs carrying away children? Have you believed that people fly at night with body and soul into distant lands and there commit immorality with each other? Have you believed that people come at night and crush other people in their sleep? Let each one search his own conscience and make a clean breast to his Father Confessor.'[2]

Witch-rides on the Blocksberg were also already to the fore.

Thus, in a Lübeck confession- and prayer-book of 1485: 'Have you believed in the good fairies or that the Nightmare (an old woman called Drude) has sat on you, or that you have ridden on an oven-fork on the Blocksberg? Dear brother, these things are heavy, mortal sins, and whoever dies in them, brings his soul into everlasting damnation; for the Holy Faith must not be disgraced.'[3]

In another confession-book, much circulated in the fifteenth century, the penitent is asked if he has believed

[1] Geffcken, Beilagen, 99–100. Concerning the superstition, coming from heathen times, that sorceresses could sell wind, see P. Pietsch in the *Zeitschr. für deutsche Philologie*, xvi. 189–190.

[2] *Ibid.* Beilagen, 129.

[3] *Ibid.* Beilagen, 124.

that 'women can change themselves into cats, monkeys, and other animals, fly up through the air, and suck out the blood of children?'[1]

But if the belief in magic and witchcraft was combated thus resolutely by the clergy, there were also, on the other hand, clergy and monks who themselves practised these arts, and accordingly instructional and confession-books point out to the people that it is no excuse for the performance of such things to say that a 'monk taught them.' The Tyrolese writer, Hans von Vintler, in his 'Pluemen der Tugent,' completed in 1411, says:

> Beneath God are the sorcerer's arts.
> What though they say: 'A monk imparts
> This lore to us; how then can it
> Be bad?' I answer: 'Faith, 'tis fit
> A monk or parson of such stamp
> Be punished like the biggest scamp;
> Tenfold punished let him be
> For excommunicate is he.'[2]

'We abominate all superstitious practices and all witchcraft,' says a synodal statute of Bishop John of Ratisbon of 1512; hence all people, clergy and laity,

[1] Geffcken, 55; cf. 34. In a confession-book of the fourteenth to the fifteenth century, instances of sorcery are mentioned 'in which sorcery exhibits itself very clearly as a parody of Christianity—which indeed in very many respects it is. 'Church practices and symbols are misused for purposes hostile to the Church.'' See the contributions of P. Pietsch in the *Zeitschr. für deutsche Philologie*, xvi. 194 ff. ** A 'Merkzettel für die Beichte,' published by H. Usener in 1468 (*Religionsgeschichtliche Untersuchungen*, ii. 83–86) and taken from a Munich MS. from the convent Scheyern, gives a survey of popular superstitions, and includes under the head of superstition 'exciting love or hatred between human beings,' and the belief that 'cows can be robbed of their milk.' 'In these views, especially in that of the second superstition, the old church fight against the reality of witches is clearly seen.'

[2] ** See *Pluemen der Tugent des Hans Vintler*, published by J. B. Zingerle (Innsbruck, 1874), Verse 7700 ff.; cf. Riezler, 18 ff.

who were addicted to such things, if they could not be persuaded to reform, were to be publicly excommunicated. A Freising Diocesan Synod decreed in 1440 that the Bishop alone could absolve from the vice of sorcery, especially when the Sacraments, sacramentals, or bones of the dead were used.[1]

The clergy and the monks also encouraged the popular belief in witchcraft by reports of all manner of witch-stories. A large number of such tales are found, for instance, in the 'Præceptorium' of the Osnabrück Augustinian monk and preacher Gottschalk Hollen († 1481). Amongst many others, we read there

[1] Hartzheim, vi. 105. Colleti, ix. 17[b]. ** Cf. Hansen (p. 435), who also refers to corresponding decrees of other synods of the fifteenth century (Freising, 1480; Heilsberg, 1449; Eichstätt, 1447 and 1465; Salzburg, 1456); these are in keeping with the Church's traditional measures against abuse of holy things for magic purposes and they pronounce excommunication on the culprit. Other synodal decrees of like tendency from the fifteenth and sixteenth centuries are collected by Riezler (p. 32 ff.), and at p. 34 ff. he points out especially that the decrees of the Salzburg Provincial Synod of 1569 (Dalham, *Concilia Salisburgensia*, p. 372) bear the same character. These synods, indeed, he says, pander to the witch-mania of the inquisitors and to the spirit of the period by pointing to temporal punishment, but, as they regard witchcraft as an illusion, they implicitly rob the inquisitors' code of its foundation. Riezler notes how this mentality led to a milder treatment of the witches. There is 'distinct resistance to the burning of witches; the bishop should endeavour with skill and zeal and with all loving-kindness to convert such people from their errors; if he does not succeed in doing this he must proceed according to the canonical rules.' In one point this decision is milder than that of 1512: 'If anyone, in confession, has laid bare an error of this sort to his spiritual adviser, the latter shall instruct him in a fatherly manner that these things are only diabolical illusions from which every true Christian should keep at a distance, and shall exhort him also to have nothing to do with them. Only when the priest is unable to lead back into the right way any person tainted with sorcery, and if the said person on account of his errors has fallen into ill repute with others, shall the priest have recourse to the bishop or his penitentiary, for power to absolve the sinner. More plainly than in this Salzburg statute of 1569, on the eve of the general burning of witches, the double tendency in the Church cannot be indicated.'

of a witch in Norway who used to sell wind in a sack fastened with three knots. On undoing the first knot there came out a mild wind; on undoing the second, there came a strong wind; and the undoing of the third let out a storm. Another witch roused the most intense hatred between a pair of lovers by means of a bewitched cheese and a black hen of which she gave half to the lovers and half to the devil to eat. A woman who had been changed by a witch into a horse was disenchanted by the sprinkling of holy water.[1]

Meanwhile numbers of sorcerers and sorceresses in Germany who practised 'demoniacal arts' were condemned to death by fire by secular judges according to the ordinance of the 'Sachsen- und Schwabenspiegel.' 'Women or men,' it says in the 'Schwabenspiegel,'

[1] Geffcken, 55; cf. 31. ** See also Jostes, 'Volksaberglaube im 15ten Jahrhundert,' in the *Zeitschr. des Vereins für Gesch. Westfalens*, xlvii. 85 ff.; Landmann, *Predigtwesen in Westfalen*, p. 186, and Haupt in the *Histor. Zeitschr.* lxxxviii. p. 294. Hollen, moreover, in many passages, is dead against the belief in witches. For instance in Sermon 35, in discussing the various ways in which mankind attempts to fathom the mysterious, and the future, he says: 'The first method is direct appeal to the devil, as when anyone invokes Satan to show himself on a stone, on iron, or in a mirror, or on steel, so that he may be seen by some young woman in order to disclose a theft or a thief. This is impossible; it can only be done by the power of God, and if anyone pretends that he has constrained the devil, he only does so to deceive, and is no more to be credited than those drunkards who pretend to possess formulas and signs by which they can banish the devil or compel him to answer.' This passage, to which I drew attention in 1894, was not taken notice of by Haupt: *l.c.* A believer in the whole witch-superstition of the period, towards the end of the fifteenth century, is Matthias von Kemnat, court chaplain to Frederick the Victorious of the Palatinate, in his chronicle of this prince; see Riezler, p. 72 ff., who, moreover, presents Matthias in this his attitude towards witchcraft, as a discreditable exception to the secular clergy: 'Through the whole of the Middle Ages there is no German secular cleric to be named who so stupidly echoed the false notions of the inquisitors as Matthias von Kemnat of the Upper Palatinate.'

who carry on sorcery or who hold intercourse with the devil, invoking him with words to come to them or otherwise communicating with him, shall be burnt to death, or suffer any other still worse death that the judge may choose: for they have denied our Lord Christ and given themselves up to the devil. And all those who know of these things and keep silence, and those who induce others to practise them, after legal trial shall be decapitated.' [1]

Still more comprehensive persecution of witches is provable in Germany in the course of the fifteenth century.[2] The primitive belief in witches, with all its

[1] ** *Schwabenspiegel*, published by von Lassberg (Tübingen, 1840), p. 157. There is a precisely similar decree in the *Sachsenspiegel*, ii. 137. Concerning the decrees in the *Sachsenspiegel*, the *Schwabenspiegel*, and the German *Land- und Stadtrechten*, cf. Hansen, p. 367 ff. Hansen points out (p. 370 ff.) that the penalty of fire for sorcery which had been growing general since the fifteenth century had to do with the fact that in the Middle Ages this was the usual punishment for unnatural immorality, which entered so largely into the trials for witchcraft. On the other side, Riezler remarks (p. 12): 'Among the heathen Saxon it was already usual to punish witches by burning to death.' This we learn from one of the most glaring testimonies to old Germanic barbarity, a *Capitular of Charlemagne* published for Saxony (*Capitulatio de partibus Saxoniae*, between 775 and 790; *Mon. Germ. Leg.* sect. II. t. i. p. 68, c. 9). 'When anyone,' it says here, 'blinded by the devil believes that a man or a woman is a witch (*striga*) and devours human beings, and burns said man or woman, or eats or allows their flesh to be eaten up, such persons shall themselves be punished with death.'

[2] ** See Hansen, pp. 381, 394 ff., 424 ff., 429 ff. For criticism of Hansen cf. Jordan in the *Revue des quest. hist.* 1901, i. 606 s.; M. Jansen, 'Die Entstehung der grossen Hexenverfolgung,' in the *Literar. Beil. der Köln. Volksztg.*, 1901, No. 38, and Knöpfler in the *Histor.-polit. Bl.* cxxx. 276–288. In a criticism of Diefenbach's *Zauberglaube* (*Literar. Rundschau*, 1901, Sp. 213) Sägmüller remarks that 'possibly it might come out that the witches who at the close of the Middle Ages fell victims to the Inquisition cannot be compared numerically with the hecatombs which, after a long pause from 1521–1571, the secular jurists, with fresh onslaught, and chiefly on the ground of Roman law, sacrificed to the Carolina and territorial laws

aberrations, awakened to new life, the unholy superstition spread in ever-widening circles. It has lately been attempted to lay the chief blame of this on theology, on the Church, and on the papacy. Such a judgment depreciates very unduly the powerful influence of the still actively working old Germanic witch-superstition, which certainly forms a very important factor in the events under consideration. Another factor of great weight is the dualistic teaching of the gnostic-Manichaean heretics.[1] Added to this was the sickly, overwrought condition of popular sentiment of the later Middle Ages which sought expression more and more 'in the search after the prodigious, in visions, in prophesyings, in astrological and cabalistic practices.' This 'unhealthy condition' in connexion with the old heathen traditions and the erroneous doctrines of the above-named heretics enormously fostered the revival of the old belief in witches.[2]

The manifold and serious errors and misconceptions of theologians and inquisitors are chiefly explained by the decline of later scholasticism, which, to the detriment of genuine speculation, digressed more and more from experience, thereby falling largely a prey to brain-spinning.[3] To this may be added the melancholy

(*Landesgesetze*), and that the purely Catholic countries, Italy, Spain, and then also France, have not anything like the terrible scenes of witch-burning to show as Catholic and Protestant Germany.'

[1] ** See above, p. 228.

[2] ** These points of view are established against Riezler in a short but admirable article, 'Zum Hexenwesen' in the *Literar. Beil. der Köln. Volksztg*, 1897, No. 11. See also Linsenmann in the *Tübingen Theol. Quartalschr.* 1887, p. 154 ff., and Schanz in the same journal, 1901, p. 35 ff.

[3] ** See Linsenmann in the *Tübingen Theol. Quartalschr.* 1887, p. 156, and Hansen, 446 ff.

condition of medicine, as of natural sciences in general.[1] The whole fable manufactory of the ancient writers was accepted and propagated with incredible *naïveté*. Just as people were ready at once to accept the tales of marvels in daily life, so they believed positively in the most wonderful narratives telling, out of olden times, supposititious events created by fancy.

All these influences co-operated in the production and propagation of the witch-superstition: it is therefore unjustifiable to make religion responsible for this scourge of humanity. Were the assumption correct, the belief in witches must have seized all lands in Christendom. This, however, is not the case, and it is very noteworthy that in the very capital of the Christian world, in Rome, only one case of witch-burning in the fifteenth century can be certainly proved.[2]

In spite, however, of all the fostering causes and influences enumerated, the witch-superstition would not have reached the dimensions, which as a matter of fact it did reach, if the age in general had been less credulous and more critical. The witch-craze must be looked on as a malady of the period, 'an intellectual epidemic,' to

[1] ** To this point also Linsenmann, *l.c.*, has rightly drawn attention. See also M. Jansen, *l.c.*

[2] ** See Pastor, *Gesch. der Päpste*, i. (3rd and 4th ed.) 231. Riezler (*Hexenprozesse*, p. 68) quotes in this respect Infessura according to the edition of Eccard (*Corp. hist.* 743) and remarks: 'v. Reumont, *Gesch. der Stadt Rom.* iii. 70, speaks of a case of witch-burning which occurred in Rome on June 28, 1421. Whether this is a different case from the one mentioned by Infessura, or whether errors have crept into Reumont's chronology, I cannot positively determine.' From Pastor, denounced by him as a falsifier, Riezler might have learnt that in Reumont there is only one misprint. From Pastor also he might have learnt that an expert must no longer quote Infessura from Eccard's edition of 1743, but from those which Tommasini published in 1890 with the help of all available MSS.

which unfortunately the leading personalities in Church and State succumbed as children of the age.[1] The analogy of an epidemic also holds good in that the superstition spread with incredible rapidity. 'The imagination of a generally ignorant and neglected populace scented everywhere sorcery and witchcraft, and narrow-minded, uncritical, unpractical scholars, laymen and clergy, jurists and theologians, gave in to the popular superstition instead of making a stand against it.'[2] As true children of their epoch the bearers of authority, both religious and secular, were far too credulous, too uncritical in their acknowledgment of demoniacal influences. 'The witch-superstition had become such a fixed idea with most of the inquisitors and judges, that they were convinced at the outset of the guilt of the accused persons, and considered it their duty to wring out a confession by persistent torture.'[3] There was another circumstance that was especially fatal. Witchcraft had been regarded as heresy from the thirteenth century. In consequence of this the trials were conducted in the same way. Heresy was almost always widespread, and it was natural to believe in an association of those who were accused of witchcraft. 'So soon, however, as this idea had taken root, so soon as the rack had extorted from individual victims the acknowledgment that it really was so, a new and terrible incentive was given to the spread of persecution.'[4]

If both by secular and Church tribunals penalties of excessive severity were inflicted, this is explained by

[1] ** See Linsenmann in the *Tübingen Theol. Quartalschr.* 1891, p. 673.
[2] ** Duhr, 7.
[3] ** *Ibid.* 8.
[4] ** See Hansen in the *Histor. Zeitschr.* lxxxi. p. 401 ff., and Hansen, *Zauberwahn*, 416 ff.

the fact that 'not only did a large number of people believe in the influence of magic, but numbers also had actually themselves meddled with "sorcery" and, setting aside any idea of supernatural agency, had accomplished many results by means of suggestion.'[1] All the same, it cannot be denied that there were grievous faults in the proceedings of numbers of uncritical theologians and inquisitors; 'still it may be boldly asserted that the theories of the theologians would not have done so much harm by a long way, if the jurists had done their duty as judges.'[2]

How accurately, even in the fifteenth century, the secular judges, through the 'penal questioning' (torture) of accused persons, became informed of all the details of witchcraft, is shown by the 'Formicarius' of the Dominican John Nider, compiled at the time of the Basle Council, and which describes nearly all the horrors and witcheries which later on formed the essential accusations and points of examination in all the witch-trials:[3] how sorcerers and witches abjured the Christian faith and the Christian community, trampled under foot the cross, swore an oath of fidelity to the devil, and mixed carnally with demons. Nider's chief guarantor was a secular judge from Bern,[4] who in the Bernese district examined

[1] ** M. Jansen, *l.c.* See also Jordan in the *Revue des quest. hist.* 1901, i. 607.

[2] ** Duhr, 14.

[3] The fifth book of the *Formicarius* (see Schieler, 226–235, and for the time of the compilation of the book, 379), which deals with witchcraft, printed in the *Malleus maleficarum* (Frankfort edition of 1588), i. 694–806. ** Cf. Riezler, 56 ff.

[4] ** Peter von Greierz, about the year 1400 Bernese judge in the Simmenthal; see Hansen, p. 437 ff., and his sources and researches, p. 91 ff. Riezler (p. 59) works himself up because 'from Janssen-Pastor's representation the reader is likely to get the impression that these Bernese trials were carried on before the secular tribunal, which must be regarded

numbers of sorcerers and witches, had them tortured, and after they had 'confessed' sentenced them to death by fire. Occasionally torture had to be applied three or four times before this judge could extort from the accused the precise kind of devil's art practised, for instance, that they had removed corn from strangers' fields to their own, that they had produced damaging winds and hailstorms, made human beings and animals unfruitful, killed anyone by a lightning stroke, caused all sorts of diseases, excited sinful love, sown envy and hatred in hearts, robbed people of their understanding, pretended that they could travel through the air.[1] One of the accused persons who died 'under symptoms of true repentance,' made a statement to the judge concerning the art of initiation into the secret of sorcery. The candidate had to go with 'the Masters,' i.e. the demons, on a Sunday, before the holy water was distributed, into a church and, before the Masters, deny the Divine Saviour, the Christian faith and baptism, and then pledge himself with an oath to the devil; after this he had to drink out of a bottle and was at once made acquainted with the art of magic and the principal

as highly improbable.' Against this the remarks of Hansen, who contributes further details concerning this secular judge and his work, are sufficient.

[1] Concerning the repetition of torture it says of one of the accused: 'Biduo duriter quaestionatus, nihil penitus fateri voluit de propriis facinoribus, tertia autem die tortus iterum, virus suum evomuit.' Another only 'post quartum ad cordas tractum,' gave to the question: 'Quomodo ad tempestates et grandines concitandas proceditis?' the answer: 'Primo verbis certis in campo principem Daemoniorum imploramus, ut de suis mittat aliquem a nobis designatum; percutat deinde, veniente certo Daemone, in campo aliquo viarum pullum nigrum immolamus, eundem in altum proiicendo ad aëra. Quo a Daemone sumpto: obedit et statim auram concitat, non semper in loca designata a nobis, sed iuxta Dei viventis permissionem grandines et fulgura proiiciendo.' *L.c.* pp. 727, 750.

customs of the devil's sect. 'In this way,' he said, 'I was misled; my wife too was misled in the same manner, but I believe her to be so stubborn that she would rather be burnt to death than confess the least tittle of the truth. But alas, we are both guilty!' 'All fell out,' Nider goes on, 'as the young man said. His wife, although convicted by witnesses, would not confess either on the rack or at the moment of death, but cursed the officials who had prepared the stake, in vilest language, and was burnt.' 'In the diocese of Lausanne,' the judge informed the credulous Nider, 'some of the sorcerers cooked and devoured their own children; in the district of Bern, within a short space of time, thirteen children were swallowed up by the evil spirits, in consequence of which public justice was pretty strongly incensed against such crimes.' One witch was compelled to inform the judge as to how she set about making an entrance into strange houses and killing the children lying in their cradles or by their parents' side, stealing away the dead and buried from their graves, cooking them and preparing magic drinks out of them.[1] Nider himself believed in the arts of sorcerers and witches. 'Without doubt,' he said, 'they can do such things, but only by permission of God'; they do not, however, do them independently and directly, but by means of words, usages, and transactions which are the result of their communion with the devil, so that it is the demons, at the prayer of sorcerers and evil spirits, who are the actual agents. As chief means of protection against their sinister practices, so Nider learnt from the Bernese judge, the evil-doers themselves mentioned the following: the true faith and the observance of God's commands in the

[1] *L.c.* pp. 711–723.

state of grace, the sign of the Cross, attention to Church consecrations and ceremonies, the adoration of the Body of Christ in prayer and contemplation. Whosoever neglects these means of protection is exposed to the assaults of Satan and his assistants, male and female.[1] In 1482 the council at Bern thought necessary 'to multiply protective measures against ghosts, witchcraft, sorcery, and bad weather,' and ordained as the most effectual antidotes, special divine services, processions, and the use of objects that had been blessed.[2]

On the ground of reports which reached him from Germany, Pope Innocent VIII. on December 5, 1484, issued a Bull in which he said: 'Not without deep grief' had he lately learnt that in some parts of South Germany, as also in the provinces, towns, lands, districts, and bishoprics of Mayence, Cologne, Treves, Salzburg, and Bremen, large numbers of people of both sexes were falling away from the Catholic faith, entering into carnal alliances with devils, and by their magic spells and incantations, their exorcisms, ill-wishings and other unworthy acts of sorcery causing great injury of all sorts to human beings and to animals. 'With infamous lips they actually deny the faith they were pledged to at Baptism.' Although the two Dominicans and professors of theology, Henry Institoris in South Germany, and James Sprenger in some parts of the Rhineland, had been appointed, by papal plenary power, inquisitors respecting heretical wickedness, nevertheless certain clergy and laymen in those regions, who wanted

[1] Cf. Schieler, 228–232.

[2] Anshelm, *Berner Chronik*, i. 307. ** In the Canton Valais in 1428 a wholesale persecution of witches and sorcerers had begun (cf. Hansen, p. 438 ff.), and in 1438 another at Fribourg in Switzerland (cf. Hansen, p. 441 ff.).

to be cleverer than necessary, had presumed to assert that, because in the letters appointing the said inquisitors, the names of those dioceses and towns, and the names of the persons and of their crimes had not been expressly mentioned, the inquisitors dared not exercise their office or arrest and punish the people. Accordingly, on the strength of apostolic command, strict orders were now issued that both inquisitors should exercise the authority of their office, unhindered, against persons of every rank and condition. For protection against sorcery they were to expound the Word of God in all the parish churches of their district to the people as often as they required it, and to use all means of instructing them which they thought suitable. The Pope called especially on the Bishop of Strasburg to protect the inquisitors in every way, and to inflict the heaviest ecclesiastical penalties on all those who opposed them or put difficulties in their way, and if necessary to call in the help of secular power.[1]

This papal Bull contains nothing like a dogmatic decision concerning witchcraft; nobody is bound to believe the reports made to the Pope and inserted in the Bull, even if Innocent VIII. believed them himself.[2]

[1] 'The Bull Summis desiderantes affectibus' in the *Magnum Bullarium Romanum* (Lyons edition of 1692), i. 443 (** Turin ed. v. 296 sqq.). Sprenger is already named as Inquisitor in 1470; see Haupt in Quiddes' *Deutsche Zeitschr. für Geschichtswissenschaft* (Jahrg. 1890), p. 384, n. 3.

[2] ** See Pastor, *Hist. of the Popes* (Engl. Trans. v. p. 349). Jarcke, *Handbuch des Strafrechts* (Berlin, 1828) remarks (ii. 55), that Innocent VIII. in his Bull *refers historically* to the different horrible incidents which were reported to him. 'It was assumed collectively by the age in general that the subjective wicked will of the sorcerer could also have an objectively injurious effect; this circumstance, however, according to the principles of canon penal law, which has more regard to the will than to the effect, is one of lesser importance. The religious apostasy which follows from the endeavour to injure others through the help of the devil,

The Bull also, taken exactly, introduced nothing new. The two inquisitors, as judges (which they already

and the heresy involved is the chief consideration in canon law. Accordingly, the Bull in question settles nothing in detail, either as to how far such objective effect might possibly extend, or as to the manner in which it might show itself, and the Pope confines himself in this respect to the historic narrative of what he has heard.' Riezler (p. 88 ff.) polemises most vehemently against all those who refuse to consider the Witch-Bull as a dogmatic decision, thinks Janssen-Pastor's explanation 'incomprehensible,' reminds his readers that Döllinger 'actually sees in this Bull a decision *ex cathedra*' (N.B. in an anonymous newspaper article hostile to the Church, printed from the *Neue freie Presse* of 1868 in Döllinger's *Kleinere Schriften*, p. 387), adds, however, that he himself 'not being a theologian will not presume to give any opinion as to whether or no the Bull is to be regarded as a decision *ex cathedra*.' Hansen has here uttered a very sober judgment, and simply says (p. 468, n. 3): '*That he* (the Pope) *pronounced no dogmatic decision in this Bull is perfectly obvious;* there was no occasion for any doctrinal definition in this place. This much vexed question, moreover, has no special historical interest, but only an esoteric Catholic doctrinal interest, as it has nothing to do with the practical effect of the Bull.' Hinchius also, *System des Kirchenrechts*, vi. (1897) 402, allows that neither the contents nor the occasion of the Bull justify the assumption 'that the Pope in this Bull set forth a definition with regard to the faith, or that by this his exposition he wanted to make use of his supreme authority to bind the Church in this respect; for he does no more than bestow on the inquisitors the competence which had been disputed to deal with witchcraft as they found it.' See also Duhr, *Die Stellung der Jesuiten*, p. 15 ff., and, as regards Hoensbroech's assertions, the admirable remarks of Dr. Cardauns in the *Histor.-polit. Bl.* 126, p. 689 ff., and especially 704 ff. To the abundant exposure of his most egregious blunders, misrepresentations, and plagiarisms, Hoensbroech had nothing to oppose but 'abusive language and barefaced denials.' See *Köln. Volksztg.*, 1901, No. 462, Bl. III. and *Histor.-polit. Bl.* 127, 175 ff. See further the pamphlet 'Was ist Wahrheit? Eine Frage, gestellt an den Grafen P. Hoensbroech von Pilatus, Augsburg, 1902'; Dr. Cardauns in the *Literar. Beil. der Köln. Volksztg.*, 1901, No. 52, on the criticism which Hoensbroech undertakes in the 4th ed. of his book ('Hoensbroech does not belong to the class of writers who can be taken seriously') and the annihilating criticism of Hoensbroech by H. Finke in the *Berliner Deutsche Lit.-Ztg.*, 1902, No. 12; cf. *Literar. Beil. zur Köln. Volksztg.*, 1902, No. 19, in which the following balance-sheet is drawn up: 'Plagiarism, a pack of the biggest blunders, and the repudiation of them with a brazen forehead, this is the sign manual of his (Hoensbroech's) polemics.'

were) 'in respect of the crime of witchcraft,' were given plenary power more narrowly defined, and if the secular courts pronounced sentence of death against those culprits handed over to them as incorrigible by the ecclesiastical court, this punishment was neither directly nor indirectly the result of this Bull, since two and a half centuries earlier the 'Sachsenspiegel' had established as a general legal custom that: 'Sorcerers and witches shall be put to death by fire.' Least of all can this Bull be described as the cause of the barbarities which in the following centuries were committed in Protestant lands in connexion with the persecution and punishment of witches. For from the 'Antichrist at Rome' the Protestants would take no instructions.[1]

[1] 'It is a mistake to attribute the *bloody* persecution of witches to papal Bulls, such for instance as the "Summis desiderantes" of 1484, or (as among others Goethe thought) to Luther's opinions about the devil. It was the rough and blind arbitrariness of legal practice which was chiefly to blame in the matter,' says Trummer, 98–99. With appeal to the opinions about witchcraft and its punishment which prevailed among the Protestants, the Protestant author (Trummer) says (p. 115): 'Soldan had no need to put down the spread of witch-persecution to the account of Ultramontanism and the Inquisitors.' The Protestant Schindler also opposed the error disseminated by Bayle, Hauber, and Schwager that criminal trial of witches was started by the Bull of 1484. 'The custom of trial of witches grew up gradually; it had been long in vogue before Bulls and Witches-hammers appeared, and how little Rome can be accused of having devised the plan merely for suppressing heresy, is proved most convincingly by the burning of witches carried on in Protestant lands and by Protestant jurists quite as zealously as in Catholic lands' (pp. 306, 308). That the trial of witches 'was,' as Scherr asserts, 'an invention for the maintenance of papal authority or a theologico-juridical speculation calculated on the superstition of the people, is a great error, and for the honour of mankind it must be said that though these trials certainly came to be exploited in the service of all the passions, there was no "calculation" at the bottom' (p. 310). With Schindler, Roskoff (*Gesch. des Teufels*, ii. 328) is in agreement. 'It is an entirely unfounded reproach which Lutheran writers bring against the Roman Church that she invented the "identity" of heresy and sorcery in order to destroy the heretics on

The Bull certainly did encourage persecution of

the pretext of sorcery.' 'Soldan is guilty of error when he says that the identity of heresy and sorcery was only a later development.' 'It is from the Socinians that the inseparability of heresy and sorcery comes down . . .' (p. 316). ** In opposition to the assertions of Henner (*Beiträge zur Organisation und Kompetenz der päpstlichen Ketzergerichte*, Leipzig, 1890) about witchcraft, H. Finke says in the *Histor. Jahrbuch*, xiv. (1893) 341–342: 'It surprises me that so thoroughgoing an investigator as Henner should make such incorrect statements as he does at p. 311. The text there says: "It was the Bull of Innocent VIII., so famous in the history of civilisation, the Bull 'Summis desiderantes affectibus' of December 5, 1484, which *occasioned* the great and well-known inquisitorial persecutions of witches." Occasioned? Has Henner then never heard anything of the Formicarius of the Dominican and Inquisitor, John Nider? There, in the third and fourth chapters of the fifth book he can read what strong hold this popular plague had gained in different parts of Germany and so forth at the beginning of the fifteenth century, and how much the Inquisition was occupied with it. True it is that there are not so many known cases of witch-trials in the Middle Ages as in more recent times, but this is no proof that they were really less frequent. The texts quoted from Nider himself warn us to be cautious. Witch-trials were not so much noticed in the Middle Ages because in its form and course the trial did not differ from the Inquisition trial. Whether "from that time (that is to say from the proclamation of the Bull and the writing of the 'Witch-hammer') witch-trials multiplied in an appalling manner," still remains to be settled; the instances which Henner cites on the authority of Lea are not sufficient. Very obscure is the sentence (Henner, 311, n. 6): "It is the custom, on account of their importance, to distinguish the descriptions of them (of witch-trials) from those of trials of heretics." Wherein lies this importance for the jurists? Certainly in this, that from its first beginnings the modern witch-trial, which the layman names and knows as such with shuddering, had a course extraordinarily different from that of an Inquisition trial. From the very first the secular authority was mixed up with witch-trials, whereas in heresy trials it only intervened to carry out the sentence. Very soon the secular authority claimed the field entirely. This rapid and complete transformation of the Inquisition trial is to my mind a very important factor in the history of witch-trials, and one unfortunately still little regarded. Cf. in this connexion the important statements in the pamphlet of L. Rapp, *Die Hexenprozesse und ihre Gegner in Tirol* (2nd ed. 1891), p. 9 ff. Moreover the "Witch-hammer" in the section: "De modo procedendi ac puniendi maleficas," gives the reason of this change in the procedure of the trials. The question, to which tribunal the crime of witchcraft belongs is answered by the statement that a *mixed* Forum of

witches in so far as it spurred the inquisitors on to zeal in their proceedings.[1]

clerical and secular judges is necessary; for the crime is partly civil, partly ecclesiastical, as it implies temporal injury, and apostasy from the faith. These views sharply contradict the other theory that witch-trials were Inquisition trials.'

[1] ** Riezler (p. 81 ff.) aired the opinion that, 'towards the end of the fifteenth century, there was intelligent opposition astir among the German people and in the secular law-courts of Germany to the witch-superstition and to the persecution of witches'; but the unhallowed interference of the Pope and of his 'inquisitors of heretical depravity' cut short this development, revived the witch-superstition among the populace, extended it both in its contents and its circumference, and gave it the support of an unassailable authority. For reasons which are not to be found in the internal history of the witch-superstition, the full efflorescence of witch-trials was only to come ten years later. [Remarkable!] All the same, the interference of the Pope and the literary and practical activity which it made possible for his German inquisitors in the eighties of the fifteenth century form, for Germany, the starting-point of these horrors. Against these assertions stands the polemising, not only of Diefenbach, *Der Zauberglaube*, 180 ff. (who, however, goes too far when he denies any evil influence to the Bull and to the 'Witch-hammer'; see Paulus in the *Katholik*, 1900, ii. 470), but also of the Old Catholic historian Stieve, *Beil. zur Allg. Ztg.* 1897, No. 38 ff. This scholar, whom one certainly cannot accuse of any partiality in favour of the papacy, pointed out in contradiction of Riezler that the Bull certainly did not possess the power suddenly to turn a world incensed against the witch superstition into believers in it, and that finally the ponderous, costly 'Witch-hammer' only came into a few hands. The influence of this book, so Stieve concludes, must be dependent on a corresponding tendency of the age, a tendency which is apparent in the growing belief in wonders which led to a fraternisation between the 'church belief in the devil' and the old belief in witches. Bull and 'Witch-hammer,' however, must not, in the setting of these leading ideas of the age, be regarded 'as the source of an incipient development, but only as parts incorporated into a development already in progress.' 'That they greatly furthered this development is undeniable; but we have not sufficient evidence to warrant us in attributing to them a decisive influence.' Greater importance, according to Stieve, attaches to the fact 'that in the second half of the fifteenth century the people became acquainted with the demonology of the Neoplatonists and Neopythagoreans through the Greeks who fled to the West from the Osmans, that Mysticism developed itself and gained an ever-increasing following, and that acquaintance was made with the Talmud, the Cabbala and other writings of the younger Judaism.'

But to describe the Bull as the original cause of witch-trials is incorrect, if only for the reason that there had already been many trials for witchcraft before the issue of the Witch-bull, which, moreover, reproduces reports of trials that had already taken place.

The inquisitors appealed to it as to a confirmation by the Apostolic See of their own opinions about witches.

The importance of Innocent VIII.'s witch-bull, according to Hansen (p. 469 ff.), lies less in its contents, which offer nothing new, than in the gigantic circulation which it gained through the press, whereas older missives of a similar nature were scarcely known beyond a limited circle for which they were intended. Duhr says aptly (p. 16): 'This Bull in no way contains an infallible *ex-cathedra* decision, and by no means sets forth a doctrine which it is obligatory to accept. It must be allowed that the Pope was badly informed by credulous, uncritical inquisitors and helped on the cause of injustice by his Bull, the witch-burners being able to appeal to papal authority. German bishops ought also to have enlightened the Holy See on the true character of the trials, and to have procured the interference of Rome. But most, if not actually all the bishops were themselves infected with the general witch-superstition, and to some extent, as secular rulers, were also participators in the burning of witches. It would certainly have been an honour and a glory for the Holy See had it earlier raised its voice in warning and prohibition. Just as the Bull "Summis desiderantes" contains in the main, apart from the reports of the inquisitors, nothing further than the confirmation and extension of the power of the inquisitors, so also the two briefs of Leo X. (February 15, 1521), to the inquisitors in Venice, and of Hadrian VI. (July 22, 1522), to the inquisitors of Como, contain, besides the enumeration of crimes—such as denial of God, child-murder, dishonouring of the Cross, damaging fields and cattle—nothing more than a confirmation, either restrictive or the opposite as the case required, of the authority of the inquisitors.' *Ibid.* 21: 'What effect could inquisitors and papal edicts have on the reformers, for whom no papal edicts had any authority, but were regarded rather as diabolical utterances? And yet how enormously the belief in witches and the number of witch-trials increased and developed in Protestant districts through the zealous activity of the leaders of the schism.' 'No single territory of the German empire has remained free from this pest; it has overstepped every cordon among the new religionists, who boast of their enlightenment and their victory over "Antichrist" at Rome, as well as among the Catholics who remain true to the Church: here, there and everywhere it carries on its ravages.'

The secular authorities also took up the cause of the inquisitors. The Emperor Maximilian I., on November 6, 1486, issued orders that they were to be accorded all possible help and encouragement in the fulfilment of their duties. The inquisitor Henry Institoris—mentioned in the Bull—included in his journeys, for the purpose of tracking witches, a visit to Bishop George Golser at Brixen. The latter, on July 23, 1485, sent the papal Bull round to the clergy of his diocese and enjoined them to receive the inquisitor and his assistants in a friendly manner when they came to instruct the people. In a memorandum of instructions as to the method of procedure in witch-trials, Institoris called on the shepherds of souls to use all their power to keep the people from sorcery and witchcraft; he declared denial of witchcraft to be open heresy and mentioned as the chief crimes of witches: the production of hailstorms, the disturbance of the human understanding to the pitch of complete madness, the rousing of irreconcilable hatred or irresistible love, the hindrance of fertility in human beings and animals, and even the taking of life. On all these points the pastors were to instruct the people and to admonish every one to give information concerning suspicious people. In order that no one should be afraid of doing this, the accused people were to be kept in strict ignorance of the names of their accusers. A detailed 'Normativum' gave fuller particulars as to how the accused persons were to be proceeded against, according to the thirteen degrees ascending from mere suspicion to complete conviction. At the beginning of August, Institoris entered on his work at Innsbruck, and towards the end of this month over fifty persons (all except two

being of the female sex), from the town and the immediate neighbourhood, had been already notified to him as suspicious, and besides these 'many others' whose names are not recorded in the list in our possession. The examination of witnesses lasted, with interruptions, about five weeks; but the inquisitor himself, who went very seriously into the charges of injury to life and person, of drawing off milk from cows, and of 'weather-making,' had his doubts as to the trustworthiness of the witnesses. It is especially noticeable that in the examinations those 'capital crimes' which in the witch-trials of later times form the chief burden of the charges, abjuration of faith, formal compacts with the devil, incubi and succubi, as well as nocturnal rides, witch-dances and witch-meals, are not mentioned at all.

While the transactions concerning these numbers of suspect people were still pending, Institoris, in October 1485, had seven women of Innsbruck arrested, and set on foot against them an investigation which was conducted in such an irregular and illegal manner that finally an attorney appointed to defend the accused persons was able to disprove all the points of the charge, and at a tribunal presided over by a plenipotentiary of the Bishop of Brixen achieved the full acquittal of the 'witches.' This trial had excited very strong feeling among the people. When the inquisitor, who had laid himself open to the worst reproaches, proceeded to fresh imprisonments, and attempted fresh examinations, the Bishop of Brixen stood up against him, admonished him to return to his convent, gave notice of his firm resolve to debar him from all further examinations, and by this means obtained his removal from the land. 'I am distressed about this monk,' the Bishop

wrote on February 8, 1486, to an intimate friend, 'I find in the Pope's Bull that he has been inquisitor before under a number of popes, but he seemed to me, however, "propter senium," to have become quite childish when I heard him here at Brixen with the Chapter.'[1]

A considerable part of the instructions given by Henry Institoris for conducting the Innsbruck witch-trial, and of his 'Normativum,' was reproduced verbatim in the 'Malleus Maleficarum' compiled by himself and James Sprenger in the following year, 1486.[2] This work, although as a private publication it by no means acquired legislative force in the Church, became the source of untold mischief. For Protestant districts also, though the judges less frequently cited it, it obtained undisputed authority.[3]

[1] From the article—in many respects very instructive—of the Neustift Canon H. Ammann, 'Der Innsbrucker Hexenprozess von 1485,' in the *Ferdinandeumszeitschr.* Folge 3, Heft 34, 1–87. ** Cf. Linsenmann in the *Tübinger Theol. Quartalschr.* 1891, p. 669 ff.

[2] See Ammann, iv. 7–8, n. 1. 'The tales of sorcery told of Innsbruck in the *Malleus Maleficarum* are some of them very different in the official reports from what they appear in this book. This circumstance gives the trials just recorded a place of importance in the history of judicial proceedings against witches.' The greater part of the 'Normativum' of the inquisitor, mentioned by us in the text, is also found word for word in the *Malleus Maleficarum.* 'Deviations in the texts result in most cases from expansions in the *Malleus*' (pp. 7–8, n. 1). This 'Normativum' is accordingly the most important document preserved to us by the *Witches' Hammer*, and deserves to be reprinted in full. It is to be hoped that Ammann will devote closer research to the matter.

[3] *Malleus maleficarum, in tres partes divisus, in quibus concurrentia ad maleficia, maleficiorum effectus, remedia adversus maleficia et modus denique procedendi ac puniendi maleficos abunde continetur.* For the different editions see Wächter, 281. Soldan-Heppe, i. 276, n. 1. ** Cf. now especially the valuable treatise of Hansen: 'Der Malleus maleficarum, seine Druckausgaben und die gefälschte Kölner Approbation vom Jahre 1487;' *Westdeutsche Zeitschr für Gesch. und Kunst*, 17 Jahrg. (1898), p. 119–168. The first edition of the *Malleus*, which appeared without

The inquisitors published the work in order to break the resistance opposed to their official action by some 'pastors and preachers' who declared openly in their sermons that there were no witches who could do any harm to human beings.

The 'Witches' Hammer' is in three parts, the first two of which deal with the reality of witchcraft on the evidence of the Bible, and of canon and civil law, explain its nature and the horrors connected with it, and the means to be used against it by the Church; the third part gives fuller instructions to the ecclesiastical and secular judges as to how a witch-trial should be begun and proceeded with, and how the sentence should be pronounced.[1] 'Witches,' said the authors, 'must be punished more severely than heretics, first because they too are apostates, and secondly because they not only deny the faith from fear of men and from carnal lust, but over and above this do homage to the devil and give themselves up to him body and soul. The enormity of the sin of sorcery is so great that it surpasses the sins and the fall of the wicked angels: the severity of the

date or locality, was, according to Hansen, p. 130, printed at Strasburg in 1487. Henry Institoris is the chief author, and the birthplace of the work must certainly be the Upper and not the Lower Rhine district (*l.c.* 167). See further Hansen, *Zauberwahn*, 473–500, and *Quellen und Untersuchungen*, 360–408, where the two authors are exhaustively discussed, and their respective shares in the compilation of the *Malleus* examined. The conclusion to which Hansen comes is, 'that the *Malleus Maleficarum* proceeds chiefly from the pen of Institoris and that Sprenger was in sympathy with the book and its contents and had some share in its compilation, but that for external reasons, in order to enhance the authority of the work, his name was pushed more into the foreground by his colleague Institoris than his actual literary contribution warranted.'

[1] See the more detailed account of its contents in Horst, *Dämonomagie*, ii. 39–117. Schwager, i. 56–228. Ennemoser, 796–811. Roskoff, *Gesch. des Teufels*, ii. (1869) 226–293.

punishment must correspond to the magnitude of the offence.' The most important points in which the 'Witches' Hammer' differs from earlier witch-literature are, first, that the former makes 'maleficium' or sorcery that works injury, and not the heretical incident of the witch-sabbath, the central point; second, that it has a distinct animus against the female sex; and third, that owing to its insistence on the maleficent side of witch-craft it is inclined to relegate witch-trials to the secular courts of law.[1]

The theory hitherto maintained that the Cologne theological faculty approved of the 'Witches' Hammer' is shown by the most recent researches to be untenable.[2]

First of all the document in question, printed as preface to the edition, expresses the approval not of the theological faculty, but of the Cologne university as a committee of censure recognised by the Pope. We are, moreover, face to face with two different memoranda. The first, a reserved and guarded statement, is only put forward, or rather signed, by four professors as their own private opinion. This one is genuine. The second, on the other hand, attested by eight signatures, which gives strong and definite approval to the work, is spurious. It may therefore be regarded as certain that neither from the university of Cologne, nor from the theological faculty of the university, is there any documentary

[1] ** Hansen, 477 ff. Hansen thinks (p. 490 ff.) the authors of the *Witches' Hammer* wished to hand over trials for witchcraft to the secular tribunals because they wanted, under all circumstances, to have the witches put to death, which could not be done by the Inquisition in the case of penitent and non-relapsing heretics. On the question of the opinion of the *Witches' Hammer* concerning jurisdiction over witches, see also Riezler, p. 105 ff.

[2] ** By Hansen, in the article of the *Westdeutsche Zeitschr.* referred to above, p. 251, n. 3, which I follow here verbatim.

approval at hand of the 'Malleus Maleficarum.' Only four Cologne professors of theology recorded in writing their personal views on the 'Malleus.' Moreover the memorandum of these four professors is not an unreserved tribute of approval, but only a partial one; no one of the then Cologne professors gave his full assent to the contents of the 'Malleus.' And thus it further becomes clear that the 'Malleus Maleficarum' can no longer be claimed as indicative of the intellectual atmosphere prevalent in the Cologne university at the close of the Middle Ages. On the contrary, if the authors of the 'Malleus,' who were thoroughly intimate with Cologne professorial body, applied to so few of the professors for, or at least got so few of them to give, a written expression of their opinion, and if the opinion of these four professors was so little in accord with the wishes of the authors that the latter had recourse to forgery and falsification, it shows that the opinions even of the Cologne university teachers of that period[1] did not correspond with the views embodied in the 'Malleus,' i.e. so far as these views were peculiar and not merely an expression of opinions then shared by the generality of mankind.[2]

Two years after the 'Witches' Hammer,' Ulrich Molitoris, doctor both of Roman and of canon law, and procurator in the episcopal curia at Constance, at the demand of Archduke Sigismund of the Tyrol, published a memorandum on witchcraft which, in contrast to the 'Witches' Hammer,' contained many sensible opinions. To statements extorted

[1] ** Who otherwise, as Hansen showed before, shared the general opinions of the age in this matter.

[2] ** Hansen, *l.c.* 165.

by torture, he says, no weight should be attached, for through fear and pain anyone might be brought to confess to all sorts of things which he had never done. 'God alone,' he says, 'is Lord of nature, and therefore nothing can happen without His permission. Devils cannot beget children, human beings cannot assume other shapes and fly to distant parts: they can only imagine that they are where they are not, and see what they do not see. Just as little can witches travel long miles away at night and return from these wanderings; but they have dreams, and are endowed with far too lively imaginations, and the objects conjured up before them by the devil appear so vividly before their eyes that, while wide awake, they deceive themselves into thinking that what was only fancy happened in reality.' [1]

On the other hand Molitoris, no more than the 'Witches' Hammer,' disputed the possibility of the existence of witches, or of a league between the witches and the devil, which ought to be punished with the severest penalties. 'Although such accursed women can do nothing of themselves, nevertheless, because they have fallen away from the true and merciful God, have given themselves up to the devil, have paid him homage and offered sacrifice to him, they must, according to both civil and divine law, be put to death.' [2]

[1] *De laniis et phitonicis mulieribus, Teutonice Unholden vel Hexen.* At the end: *Ex Constantia anno* 1489 *die decima Ianuarii.* The first edition with woodcuts. The pamphlet is also in the Appendix of the Frankfort edition of the *Malleus* of 1580. German translations appeared in 1544 and 1575. Cf. Rapp, 9–12; Soldan-Heppe, i. 275 n. ** See also Riezler, 123 ff., and Hansen, 510. An extract from the tract in Hansen's *Quellen und Untersuchungen,* 243–246. Concerning Molitoris, see Ruppert, *Konstanzer geschichtl. Beiträge,* Heft iv. (1895), p. 47 ff.

[2] Soldan-Heppe errs therefore when he says (i. 272): according to

Molitoris's standpoint was the same as that of Thomas Murner, who condemned witches to be burnt to death, not because 'they could brew storms, destroy wine and corn and all fruits,' but because they believed that all these things, which only the devil could do, were done by their own power:

How blind you are in all these matters,
Thinking you yourself can make
Storms and snow and hail that patters;
Make children lame, and furthermore,
On greasy sticks at midnight soar.
To the flames, to the flames with such women:
And were no executioner
At hand to kindle fire, sooner
Than let her go, myself I'd burn her.[1]

Strange contradictions on the subject of witchcraft and the pretended powers of witches are found in the writings of Geiler von Kaisersberg.[2]

John Weyer, later on the combater of witch-persecution, in order to weaken the belief in witches, quoted the words of the 'widely renowned, highly learned and pious preacher of the exalted cathedral at Strasburg,' who in 1508 addressed his congregation as follows: 'You ask me what I have to say about the women who travel about at night and assemble together. You

'the conviction of Molitoris there were no witches.' Soldan's assertion (i. 275) that the memorandum of Molitoris helped to stir the inquisitors to the publication of the *Malleus*, is also erroneous, for the *Malleus* was written in 1486 and published in 1487.

[1] *Narrenbeschwörung*, edition of K. Goedeke, 147–148. In a treatise, *Tractatus de phitonico contractu* (Freiburg, 1499), Murner gave a detailed account of how in his youth he had been made lame by an old sorceress and then healed again.

[2] See A. Stöber, *Zur Gesch. des Volksaberglaubens im Anfange des 16ten Jahrhunderts.* From the *Emeis* of Dr. Joh. Geiler von Kaisersberg (Basle, 1875), p. 11 ff. Extracts from Geiler's *Emeis* in Hansen's *Quellen und Untersuchungen*, pp. 284–291.

ask if there is any truth in the tales of journeys to Dame Venusberg, and if the witches[1] really go backwards and forwards, or whether they are only dreaming, or whether they are ghosts, or what I think about it all. I answer you as follows. To the first question I say that they travel hither and thither and yet remain in one place, that is to say they imagine that they are travelling, for the devil can create fancies in their brains and conjure up visions before them, so that they cannot help thinking that they are travelling about everywhere and that they are in the company of other women, and that they are all dancing and feasting together. And Satan can do all this the best with those who keep up intercourse with him, who are pledged to him. Let me cite an example. I have read somewhere that a preacher came to a village where there was a woman who described how she travelled about at night. The preacher went to her and upbraided her, and told her she ought to renounce such ways, for she never rode abroad, and was being deceived. She said: "You won't believe it? Then I will show you." He said: "Yes, I should like to see it." When night came and she was about to start on her journey, she called him to come and see. She placed on a bank a kneading-trough, in which the villagers made dough, and seated herself in it. Then she anointed herself with oil and uttered the prescribed words or spell, and then she fell asleep and dreamt that she was travelling, and so great was the joy she experienced inwardly that she fought with her hands and feet, and fought so hard that the trough fell over the bank

[1] Witches, *Hexen*, not *Saxen*, as so often quoted, probably from Fuglin's German translation of Weyer's *De praestigiis Daemonum* (Frankfort, 1586), p. 555); cf. Jacobs in the *Zeitschr. des Harzvereins*, iii. 834.

and she lay under the trough and knocked a hole in her head.' [1]

Thus Geiler explained the supposed journeying in the air as mere fancy and a hallucination from the devil. Similarly in 1498, in his sermons on Sebastian Brant's 'Narrenschiff,' he had said: 'To believe that wicked women can travel all over the world on an oven-shovel or on a wolf, is a great delusion and a false superstition.' [2]

On the other hand, in his Lent sermons of 1508 he assumes the reality of these witch-rides. 'If a witch sits on a pitch-fork which she has anointed with salve, and speaks the prescribed words, she can ride about wherever she will. It is not any virtue in the fork, or in the salve that does it, therefore it is the devil who does it, who carries her away on the fork when he sees his sacraments and his signs used by a witch.' [3]

Concerning other pretended witch performances he preached as follows: 'You must not believe that a human being can be changed either into a wolf or a pig; it is only an illusion or a hallucination conjured up before the eyes or in the head that makes people think they see what does not exist. You have a test in ecclesiastical law, in which the holy council says: "Whosoever he be who thinks that anybody can change a human being into an animal, or one animal into another, except Almighty God, that man is worse than a heathen." What nature cannot do of itself, that the devil also cannot do.' [4]

[1] *Emeis* (Strasburg edition of 1516), Bl. 36–37; cf. 43ᵃ.

[2] *Narrenschiff*, Höniger's edition, 241ᵃ; cf. Stöber, *Hexenprozesse im Elsass*, 307.

[3] *Emeis*, Bl. 54.

[4] *Ibid.* Bl. 44.

At the same time he believed in the devil in the shape of a wolf, and in changeling children. And with regard to weather-making, at one moment he says that storms are produced by the devil at the request of the witches, at the next moment he says: 'The witches can make a hailstorm in a room, but there must always be water at hand.' He does not doubt that the witches with the devil's help can dry up cows' udders, or take their milk from them, so that they will not give any more, and that they can draw milk from an awl or an axe-handle. 'The devil can take the milk from a cow and carry it to some other place, and when he sees the sign of the witches and when the witch imagines she is milking an axe-handle, the devil can in a short time produce milk and pour it into a vessel, and as he (the devil) is invisible, the witch thinks the milk is flowing from the pillar or from the axe-handle.'[1] 'The devil has made a compact with the witches and has given them words and signs to use; when they make these signs and use these words, he does whatever they ask, and so the devil acts through their will.'[2] 'But this does not make witches any the less deserving of death according to divine law.'[3]

That more women than men were given up to witchcraft, 'so that for every man ten women were burnt,' Geiler, like the 'Witches' Hammer,' attributed to the special nature of women; women were more credulous than men, and therefore easily persuaded by the devil; they had swifter powers of fancy, and were therefore also more readily open to evil imaginations. 'When a woman has been well advised and well instructed in her youth, you will not find a more pious

[1] *Emeis*, Bl. 43, 45, 54–55. [2] *Ibid.* Bl. 44[b]. [3] *Ibid.* Bl. 59[a].

being; but on the other hand there are no worse beings than women when they are badly taught and badly influenced.' The third reason he said why the female sex was more often depraved than the male was this: 'Women cannot easily keep silence. What a woman knows must come out, it will not stay in. Hence when the devil instructs women, they pass on the instruction to other women, and these again to others, and so on and on, and thus he wins numbers of souls.'[1]

Like Geiler von Kaisersberg, so too the learned abbot John Trithemius, who boldly combated so many superstitions, shared fully in the belief of his age in magic and witches. In his pamphlet 'The Enemy of Sorcery,'[2] written in 1508 by command of the Elector Joachim I. of Brandenburg, he distinguished between four different kinds of witches: those who without any league with the devil, out of their own wickedness prepare injurious and deadly drinks from herbs and poisonous roots; those who practise their magic arts by means of various usages and formulas forbidden by the Church; those who have entered into open relations with the demons, and through their help, under permission of God, steal milk and butter, call forth thunder, lightning and hailstorms, and paralyse the generative powers of men. The fourth kind, the most dangerous of all, after abjuring the Christian faith, sells itself entirely to the devil, and is able to produce the worst possible diseases and to make human beings mad and imbecile, deaf and lame, poor and unhappy. Witches of this last kind actually enter

[1] *Emeis*, Bl. 46; see the *Malleus Maleficarum*, pars i. quaest. 6.

[2] *Antipalus Maleficiorum.* This pamphlet could not exercise any wide influence before the year 1555, for not till then was it printed.

into carnal alliances with demons, are seldom reformed, and are therefore justly burnt to death in punishment of their grievous sin against God, against nature and against the human race. The number of such witches, so Trithemius asserts, is 'unfortunately very great in every district; there is scarcely a village in which there is not one witch of the third and fourth kinds. But seldom is there an inquisitor at hand, and almost nowhere a judge to avenge this notorious sinning against God and nature. Men and cattle die through the villainy of these women, and nobody dreams that it happens by means of witchcraft. Numbers of people are tormented with the worst diseases and do not know that they have been bewitched.'

Nobody, however, could be ruled by the devil and misled into witchcraft except of his own full and free will, and every Christian possessed the surest means against all the arts of witches. Above all he must remain firm in his belief in Christ and in all the doctrines of the Church, and must keep his conscience pure from mortal sins; he must cherish reverence towards the Holy Sacraments, faithfully observe the commands of the Church, and make use of the Church's benedictions and consecrations. Trithemius warned his readers against superstition, but himself propounded superstitious methods for protection against bewitchment, especially the witch-bath, which he described in minute detail.[1]

'No less, however, than the witches and bad spirits,'

[1] Fuller details are given in J. Silbernagl, *Johannes Trithemius* (2nd ed. Ratisbon, 1885), pp. 132–158. W. Schneegans, *Abt Johannes Trithemius* (Kreuznach, 1882), pp. 226–242. ** For Trithemius, cf. also Hansen's *Quellen und Untersuchungen*, p. 291 ff.

so Trithemius urged on the Emperor Maximilian, 'must all magicians and irregular exorcisers of devils be destroyed root and branch. They go about with bans and exorcisms, boast that they can collect devils together in a circle, exhibit them visibly in a crystal, or shut them up in some vessel or other. These mischievous people deal in nothing but deceit and superstition and are guilty of much wickedness, as any worthy person can well imagine. They enter into positive leagues with the devil, load themselves with quantities of books of all sorts, full of immorality, godlessness, and fraud, and pretend that they are written by ancient philosophers and wise people; by reference to these books they deceive many incautious and inquisitive people, and plunge them into the devil's pit; tell lying tales of great and incredible things which startle and astonish those who hear them. They brag of wonderful things, which are all a pack of lies, for all that is in these books is pure invention.' [1]

When the 'Witches' Hammer' was written the inquisitors Sprenger and Institoris,[2] as they themselves

[1] In his answer to certain questions of the Emperor Maximilian I. concerning witches. It will be found in German in the *Theatr. de veneficis*, 357–358. ** In the legal literature emanating from the laity—for instance, in the 2nd ed. of Ulrich Tengler's *Laienspiegel* (Augsburg, 1511)—the trial of witches is treated on the basis of the *Malleus*. See Riezler, p. 132 ff.; Hansen, p. 516 ff. and his *Quellen und Untersuchungen*, p. 296 ff. Hansen asserts (p. 516) that Tengler allowed his clerical son to add this expansion to his work. On the other hand, Riezler is of opinion that the preface to the new edition, written by this son, when compared with the text of the chapter on witches, excludes the possibility of the latter having proceeded directly from this son, i.e. the priest Christopher Tengler. Probably, however, the son put the father up to filling in this gap.

[2] In G. v. Buchwald (*Deutsches Gesellschaftsleben*, i. 129), it stands written: 'Sprenger and Gremper compiled the *Witches' Hammer*, and Pope Innocent VIII. stamped it with his approval by the Bull Summis desiderantes

relate, had already, in the diocese of Constance and in the town of Ravensburg, within five years, handed over to the secular power for punishment forty-eight witches who, according to their own confession, had committed immorality with the devil.[1] If any woman strongly suspected of witchcraft would not confess at once under the first application of the rack, the process of torture, so the 'Witches' Hammer' decreed in accordance with old legal statutes, must be repeated on another day. This further torturing, however, was not called a 'repetition of the rack,' because this, 'without further indications' was not allowed, but a 'continuation' of the first bout.

This dreadful statute, as the Jesuit Frederick of Spee complained later on, 'gave opportunity to wicked judges to do anything they pleased.' These judges say:

affectibus'—in other words, he gave his approval in a Bull of 1484 to a book not written till 1486.

[1] *Malleus Maleficarum*, pars i. quaest. 1, cap. 4. In Upper Italy, it says in pars iii. quaest. 14, an inquisitor in 1485, in the district of 'Wurmserbad' (Bormio), sent forty-one persons to the stake, and moreover, 'omnibus per totum corpus abrasis.' Against this abrasura, which was used for the purpose of discovering the marks of the devil and hidden means of sorcery, the German sense of shame and honour revolted at that period. 'In Alemanie partibus talis abrasura, praesertim circa loca secreta, plurimum censetur inhonesta,' for which reason it never came into use there. With regard to the abrasura 'est eadem ratio sicut supra de vestimentis exuendis'; concerning this, however, 'Dum ministri se disponunt ad questionandum post expolient eum, vel si est mulier prius antequam ad carceres poenosos ducetur, ab aliis muliebribus honestis et bonae famae expolietur,' pars iii. quaest. 14. Later on all shame with regard to the abrasura *per totum corpus* died out in Germany also. In the course of the sixteenth and seventeenth centuries this method came to be used everywhere by the executioner's men in the most scandalous manner, even in the case of the most honourable women of the burgher, noble and princely classes. The Jesuit Frederick von Spee, expressed his profound distress concerning this 'scandalous, vile and dishonouring procedure, which did so great violence to the ancient good German repute of modesty. '*Cautio criminalis*, dub. 31.

'We do not intend to use the rack a second time; far be it from us to do this without fresh and weighty reasons; we are only going to continue the process another day. We are well aware that it would be contrary to justice and reason to repeat the trial by torture; God preserve us from being so inhuman and cruel, we only intend to postpone further proceedings for another time; for in proof that this is allowable we have on our side excellent clerics and devout men, well experienced in these matters, renowned all over Germany and thoroughly versed in the methods of the Inquisition.' 'One would scarcely think it possible,' says the Jesuit, 'that even priests in a matter of so great importance could as it were play with the words "continuation" and "repetition."'

'Verily, in my opinion, this is an unclerical piece of barbarity, and this is not the first time that I have had misgivings that it is these said inquisitors (Sprenger and Institoris), who, through their torturing and tormenting, have brought this great multitude of sorcerers and witches into Germany.'[1]

The official activity of the inquisitors, invested with papal plenipotentiary authority, was of short duration in Germany. From the beginning of the sixteenth century we find only isolated traces of this activity, excepting in the town of Metz where the Dominican Nicholas Savini still carried on bloody persecutions in the years 1519–1520. In the town syndicus Agrippa von Nettesheim and the priest John Roger Brennon, he met with bold and successful opponents.[2]

[1] *Cautio criminalis*, dub. 235.

[2] Fuller details are given in Binz, *Joh. Weyer*, 2nd ed. pp. 12–17. A witch-trial in Basle in 1519 was presumably conducted by an episcopal

In general the management of witch-trials was made over to the secular judges, who regarded the interference of the inquisitors as an infringement on their own jurisdiction, and who now bestirred themselves zealously to track out and punish witches.

The method of procedure against a witch in a civil law court at the beginning of the sixteenth century is shown by the treatment which a perfectly innocent woman, Anna Spülerin from Ringingen, underwent at Blaubeuren in 1508. According to her own statement, which was confirmed at a later hearing of evidence, when, the year before, her mother and some other women were arrested on a charge of witchcraft, she had uttered some words of righteous indignation, in consequence of which she had become 'suspected of witchcraft' and had been sent off to prison at Blaubeuren. The very same evening, without any previous legal examination 'an executioner and lictor in the service of the honourable council at Ulm' came to her, and behaved most inhumanly and dishonourably to her in order to wring from her the confession that she was a witch. On her persisting that she was innocent, she was taken 'to another prison and inhumanly tortured not only once, twice, three times or four times, but over and over again; all her limbs were wrenched asunder, she was

functionary. Fischer, *Basler Hexenprozesse*, 4. ** 'From Germany,' says Hansen, p. 504, 'we have but few sentences of the Inquisition, for the activity of the institution here, after the beginning of the sixteenth century, had almost entirely ceased.' Sprenger, however, can be identified after 1489 in Frankfort and in Cologne as inquisitor in a trial against an astrologer (see *Quellen und Untersuchungen*, 502 ff.), and Institoris was still at work in 1497 in Bavaria, and in 1500 in Bohemia (Riezler, 96 ff.), as a zealous inquisitor against witches; he was sent to Bohemia for this purpose on a special mission by Pope Alexander VI. (see the Papal edict, dated January 31, 1500, in Raynaldus, 1500, No. 60).

robbed of her reason and her five senses, so that she no longer could see or hear as before.' 'Such martyrdom, however,' said the tortured woman, 'did not appear to be enough; another executioner came from Tübingen with the bailiff and threatened her that if she would not confess, all the veins in her body would be torn open, and she would be subjected to still severer torture:' as she would not own to the least guilt the unhappy creature had to be let out of prison. She appealed to the Imperial High-Courts for compensation against her false accusers. The Judges referred the matter for further treatment to the tribunal of the town of Biberach, but even in 1518 the case had not yet been settled.[1]

Towards the end of the fifteenth and in the first decades of the sixteenth century we find only in very rare cases detailed reports of witch-trials; it is only from short statements that we gather that in different districts witches were tracked out, and that torture and execution took place.

Thus in the Lower Rhine district in the years 1499–1509, in Angermund, Ratingen, Viersen, Gladbach, and Königshoven, several witches were repeatedly (one of them eleven times) stretched on the rack, and some were burnt.[2]

In the Cleves district in 1516 a trial conducted at Dinslaken, before justices, notary and witnesses, against a nun from the convent of Marienbaum, near Xanten, accused as a witch, made a great sensation.[3] An

[1] From the original reports of the Reichskammergericht, in Soldan-Heppe, i. 459–463.

[2] J. H. Kessel, *Gesch. der Stadt Ratingen* (Köln and Neuss, 1877), vol. ii. *Urkundenbuch*, 167–169. P. Norrenberg, *Gesch. der Pfarreien des Dekanats Gladbach* (Köln, 1889), pp. 146–149.

[3] See the contributions of Crecelius in the *Zeitschr. des Bergischen Geschichtsvereins*, ix. 103–110. Eschbach, 92–93.

executioner bragged before the Council of Frankfort-on-the-Maine in 1494 that in the last two years he had led about thirty witches at Boppard to the stake; from his long experience he gave a detailed description of the way to seize and torture a witch, and he wished, but in vain, to be appointed at Frankfort.[1] In the protocols of the Council of the town of Mayence of the years 1505–1511 there are reports of evidence given against supposed witches who were subjected to examination on the most trifling rumours.[2]

Two 'witches,' women of thoroughly depraved morals, hired to poison the Squire Hans Röder zu Tiersperg and his little daughter, 'owned' to no less than five devils with whom they had had to do, and told of the novel incident that on one of their journeys 'each of them had ridden on her devil.' They were condemned by the court of justices at Tiersberg and executed on August 29, 1486.[3] At Korbach in 1514 a witch brought before the burgomaster and judge 'confessed' that she had been at different times a quill, a spider and a fly, and that for this she well deserved to be put to death.[4] In the Hildesheim district in 1496 two sorcerers were beheaded 'because with their devilish art they could bring all women and girls to ruin.'[5] In Brunswick, in 1501, a witch was burnt who, according to her confession under torture, 'had used witchcraft on the

[1] See Grotefend in the *Mitteilungen des Vereins für Gesch. und Altertumskunde at Frankfort-on-the-Maine*, vi. 73.

[2] Horst, *Zauberbibliothek*, iv. 210–218.

[3] Felix Röder of Diersburg in the *Freiburger Diözesan-archiv*, xv. 95–98. In a town register of Pforzheim in 1491 two witches are mentioned: Pflüger, *Gesch. von Pforzheim*, 211. In 1498 a witch was executed at Vienna: Schlager, *Wiener Skizzen*, Neue Folge, ii. 35.

[4] Curtze, 544.

[5] *Zeitschr. des Harzvereins*, iii. 794–795.

clouds.'[1] One also comes across the maddest 'confessions' in several witch-trials that took place during the years 1506–1510 before secular judges and sworn jurors from the burgher and peasant class in German South Tyrol.[2]

[1] *Zeitschr. des Harzvereins*, iii. 794.

[2] Rapp, 143-175. ** 2nd ed. 145–170. *l.c.* p. 57 ff. for a trial of sorcerers and witches in the Fleimsertal, conducted during the years 1501–1505 in the Italian South Tyrol, i.e. the old prince-bishopric, the minutes of which have lately been published by Panizza in the *Arch. Trentino*, vii. 1–100, 199–247; viii. 131–147. The statements of the persons then accused 'comprise almost the whole field of the nocturnal journeys of witches and their interviews with the devil, concerning whom in the above-mentioned Innsbruck trial (see p. 249 ff.) nothing is said.' In Lucern in 1490 two witches were burnt: Schneller, 351, n. 2. A very exact survey of the witch-trials from 1240 to 1540 has lately been published by Hansen, *Quellen und Untersuchungen*, 445–613. See also his appendix, *l.c.* 673, and again in the *Histor. Zeitschr.* lxxxviii. p. 295.

CHAPTER IV

SPREAD OF THE BELIEF IN WITCHES AFTER THE OUTBREAK OF THE SCHISM

After the outbreak of the schism belief in the power and the arts of the devil became universally widespread, and the demoralisation resulting everywhere from the religious, social and political movements and struggles, was especially favourable to the development of the witch-superstition, procured for it an extension undreamt of before, and led to the most barbarous procedure, which procedure in turn helped greatly to increase the demoralisation of the people.

Through Luther and his followers[1] belief in the power

[1] Hansen, 536 ff., says indeed that 'Protestantism still further augmented the belief in the devil.' But he is also anxious to make the omnipotence of the mediaeval Church responsible for all that is bad, and therefore adds: 'The contrast of the Reformation to the mediaeval Church . . . did not make itself felt in this department.' He here overlooks the following: *The Protestant theologians of the sixteenth and seventeenth centuries, who advocated the punishment of witches, do not appeal to the mediaeval theologians and the Bull of Innocent VIII., but to the Bible,* just as they appeal to Scripture in defence of their new doctrine of justification, or their punishment of heretics. See Paulus in the *Histor. Jahrb.* 1901, p. 183. See also Schanz in the *Tübinger Theol. Quartalschr.* 1901, p. 36. As to what specially relates to Luther, Jordan says in his critique of Hansen: 'Enfin, est-il tout-à-fait légitime, en un pareil sujet, de laisser de côté la Réforme? Elle n'a rien ajouté à la théorie de la sorcellerie, je le veux bien. Mais Luther a donné au monde le troublant spectacle d'un esprit incontestablement grand qui, non seulement par excès de confiance en des raisonnements

and influence of the devil, who was active in all men and who exercised his arts especially through witches and sorcerers, received an impetus, and spread in a manner never known before. Luther gave accounts of numberless devil-apparitions which had come to himself, and of all sort of wonderful things which had happened 'in reality.' All his opponents he declared to be men bodily, or at least mentally, possessed by the devil. Everywhere, so he taught, 'the devil had a hand in the game'; he was the cause of all sickness and misfortune, of pestilence, famine and war, incendiarism, thunder and hailstorms; he mixed carnally with human beings and bred children.[1] 'We are all,' he wrote, 'both in our bodies and our souls, subject to the devil, and guests in the world of which he himself is prince and god. The bread that we eat, the beverages we drink, the clothes we wear, the air we breathe, in short everything whereby our fleshly life exists, is under his dominion.'[2]

This subjection does not end, even with those who

non contrôlés par l'expérience en était venu à admettre trop facilement la possibilité de certains faits extraordinaires, mais qui *personnellement* croyait à toute heure en être le témoin ou la victime. Les grands scolastiques qui à coup sûr ont trop remplacé l'esprit critique par la logique, n'ont tout de même pas, *en pratique*, donné au diable le même rôle dans le monde ou la même place dans leurs préoccupations. Il y eu là un exemple néfaste, et on ne pourrait contester que les écrits de Luther, si imprégnés de foi dans le surnaturel diabolique, n'aient puissamment contribué à ce débordement de crédulité qui caractérise le 16e siècle bien plus encore que le 15e.' *Revue des quest. histor.* i. (1901), 607–608.

[1] 'Luther,' says Osborn (*Teufelliteratur*, 47), 'believed so firmly in the phenomenon of devil's children (begotten by the devil), that he once advised a father, who himself believed his child to be a diabolical love-child, simply to throw the infant into the water.' Erlangen edition, lx. 40.

[2] See our statements, vol. xii. 316–323. Luther's letters in De Wette, v. 153. Opp. lat. 24, 277; see also Evers, *Martin Luther*, iii. 147, n. 2.

have been born again, until they die; in his natural self, in all that he inherits from Adam, he who has been born again remains to his end subject to hereditary sin and the servant of the devil.[1] 'Man is obliged to will and to think as his lord, the devil, impels him.'[2]

If Luther in his Greater Catechism attributed to the devil all the doings concerning which the witches were questioned on the rack, he all the same called the witches also 'sharply to account.' From his young days he could tell 'how his mother had been greatly plagued by her neighbour, a sorceress'; 'for she used to shoot at her children so that they screamed themselves to death.' 'And a preacher who only reproached her in the congregation was so bewitched by her that he died; he could not be saved by any medicine. She had taken some of the earth on which he had trodden and thrown it into water and bewitched him with it, and he could not have been made well again without this same earth.'[3]

[1] Luther's Collected Works, Erlangen ed. xxxvii. 383. See Evers, *Martin Luther*, i. 100. 'Once upon a time there came to a young woman at Wittenberg, who was ill, a vision, as though she saw Christ in a radiant and beautiful form, and she was about to worship the vision, thinking it was Christ. But when Dr. Luther was fetched, he too saw the vision and knew it was the devil's monkey-play, and he warned the young woman not to let herself be duped by Satan; then the young woman spat in the devil's face, and he soon disappeared; but the vision was changed into a snake which rushed at the young woman and bit her ear, so that blood came out of it and poured down, whereupon the snake also soon vanished; and this, and many other like things, Luther saw with his own eyes.' From Luther's *Table-Talk*, quoted by Waldschmidt, 472. ** How the belief in witch-stories was first introduced into Denmark and spread there by Luther's Greater Catechism, and the disciples of the 'Reformer,' is shown by Plenkers in the *Stimmen aus Maria-Laach*, 1896, pp. 64 ff., 175 ff., 392 ff., 494 ff.

[2] *De serv. arbitr.* Opp. lat. 33, 313. Cf. Evers, *Martin Luther*, i. 102.

[3] Förstemann, iii. 96. ** With Lutner's Manichaean belief in devils, especially what he says about it in his Catechism, where there is more talk about the devil than about Christ, and the unaccountable influence which

In the first years of his public appearance he spoke reasonably on the subject: 'Many people,' he said, believe that witches ride on a broom-stick or a ram or a donkey's head or what not, to some place or other where all the witches assemble and riot together as they please; but it is forbidden not only to do this, but also to believe that it is done. As also it is not allowable to believe that old women are changed into cats and swarm round about at night.' In later years, however, he spoke from the pulpit as follows: 'Sorcerers or witches are the wicked devil's whores who steal milk, raise storms, ride on goats or broom-sticks, travel on mantles, shoot, lame and maim people, torment children in their cradles, change things into different shapes—so that what is really a human being seems to be a cow or an ox—and force people into love and immorality.' 'The devil's whores, the sorcerers,' he preached another time, 'often cause storms to destroy cattle, corn, houses and

through it he exercised on the Protestant preachers, and through them on the people, Diefenbach deals exhaustively in *Der Zauberglaube des 16ten Jahrhundert*, pp. 1–36. Luther's belief in witches appears in his Greater Catechism in the explanation of the first commandment: 'To the number of those who break the first commandment of God belong the people who make a compact with the devil, in order that he may give them enough money, or help them in a love affair, preserve their cattle, restore what has been lost, &c., such as sorcerers and necromancers.' Diefenbach, p. 8. Diefenbach shows how greatly Luther's Catechism contributed towards making belief in witches the common possession of the Protestant people. 'He might also,' says Paulus (*Katholik*, 1900, ii. 469 ff.), 'have drawn attention to the fact that Luther's *Table-Talk* had great influence in the same direction. Luther's marvellous tales of the devil and his doings were repeated again and again by numbers of preachers and writers in the sixteenth century. Even in Catholic circles great attention was paid to the *Table-Talk*.' Paulus cites as an example in point the Catholic pastor of Schlettstadt, Reinhard Lutz, mentioned below. In his *Warhaftige Zeitung von gottlosen Hexen*, the latter refers, not to the Bull of Innocent VIII., nor to the *Witches' Hammer*, but to works of Luther.

farms; not that the devil is unable to do these things by himself without sorcerers, but he is a lord of the world and assumes to himself godlike majesty, and yet will not act without human help.'[1] When Spalatin in 1538 told him that a little girl at Altenburg was forced by a witch to weep tears of blood, Luther said: 'Such a woman ought to be promptly punished with death. The lawyers want too much evidence and they despise these open and flagrant proofs. I have had to-day before me a matrimonial case; the woman had tried to poison the man, and he vomited up lizards. When she was questioned on the rack she answered nothing; for such sorceresses are dumb, they despise punishment; the devil will not let them speak. Such deeds, however, are evidence enough that for the sake of frightening others they ought to be made an example.'[2] 'To witches and sorceresses, who steal eggs out of the hen's nests, and milk and butter, no mercy should be shown; I would burn them myself: as we read in the law that the priests began to stone the evil-doers.'[3]

[1] Walch, *Luthers Werke*, iii. 1715. Collected Works, x. 359-360, and xlv. 184. See *Luther und das Zauberwesen*, 901-903.

[2] *Ibid.* 117. Luther's Collected Works, lx. 77-78.

[3] Lauterbach, 121. Luther's Collected Works, lx. 78. ** The manner in which Riezler (p. 127 ff.) reconciles himself to Luther's attitude towards the witch-superstition is characteristic of his method of writing history: 'It is one of the saddest features in German development that Protestantism should have taken over this legacy of the Roman Church in its full scope, that in its opposition to Romish abuses it did not include this most crying of all abuses, and that the Christian sects, who otherwise fought each other tooth and nail, in this department of dogma (?) stood in disastrous unison, and vied with each other in witch-persecution. In this respect the moment of the papal action in favour of the witch-superstition was extremely infelicitous. Had the papal Bull gone forth three, four decades later, Luther might perhaps, on the ground of its papal origin, have shown some mistrust of the decision (!). As it was he dragged about with him from his earliest youth the fetters of his thought. Let those who

Luther's opinions and teaching about the devil and his activity were shared by his disciples and successors.[1]

reject the instructional and practical significance of history, ask themselves at any rate the question, whether Luther and the reformers would have taken up the same position as regards the witch-superstition, if they had clearly seen how much in this creation of their deadly enemies proceeded from the papal inquisitors and the schoolmen (!) Without knowing or wishing it, the former Augustinian monk Luther sees constantly here through the spectacles of his most inveterate foes, the Dominicans.' How deeply Luther's attitude in this matter is rooted in his whole mental tendency and philosophy of life is not recognised in Riezler's argument. Meanwhile he (Riezler) is compelled to make the following acknowledgment (p. 128): 'The zealous reformer who himself coined the word "abergläubisch" (superstitious) was in this respect no less superstitious than a papal inquisitor; the man with the demoniacal glance, as Aleander calls him, himself saw everywhere the interference of demons and thus gave a mighty impulse to the persecution of witches. And whereas each one of the three Christian confessions made it a point of honour not to be behind one another in zeal for persecution of witches, and the destruction of the devil's kingdom on earth, the result of the split in the Church was that witch-trials went to greater extremes in Germany than in countries that had remained wholly Catholic.' Further, 'Unfounded as is the charge that the Protestants surpassed the Catholics in these atrocities, justice nevertheless demands that we should draw attention to two facts. Luther's catechism, in its exposition of the first commandment of God, deals in a special, though not in an exhaustive manner, with the aim and the results of the demoniacal compact, whereas the large Roman catechism compiled after the conclusion of the Council of Trent, as well as the smaller one by Canisius intended for the people, do not make special mention of witchcraft, but only implicitly include it under the general term of heresy. And while on the Catholic side the Jesuits (as opposed to the secular priesthood, i.e. pastors of souls) would seem to have done very little to urge on the cause of witch-persecution, this uncanny activity can be brought home much more frequently to the Lutheran preachers. In the Calvinistic Church ultimately witch-persecution for its extent and brutality cannot be surpassed.' Hence, after all, the palm is carried off by the Protestants.

[1] ** Respecting belief in the devil Melanchthon fully agreed with Luther. See Hartfelder, 'Der Aberglaube Ph. Melanchthons,' in *Histor. Taschenbuch*, 1889, p. 252 ff. The same may be said of all the other innovators. When in 1574 the preacher of Arfeld in the County Wittgenstein asked the Protestant Heidelberg professor Zanchi whether witches should be burnt, the latter answered on October 22: 'Most certainly, "Si blasphemi in Deum

Thus, for instance, preached Luther's friend and some time house companion, John Mathesius: 'The devil

et apostatae a recepta religione capitaliter semper fuerunt puniti, tam apud Gentiles, ex lege naturae, quam apud Iudaeos, ex lege Dei, cur non sagae atque maleficae istae? . . . Dubium non est, quin et lege naturae capitaliter animadvertendum sit in istud abominandorum et Diabolo consecratorum hominum genus . . . *Neque Genevae, ubi in talia monstra severiter animadvertitur, aliter fit.* Sententiam habes meam quam et cum S. litteris et cum legibus piorum Imperatorum et cum bonarum Ecclesiarum consuetudine consentaneam esse scio, eoque verissimam esse non dubito."' Zanchi gave precisely the same answer to a doctor named Thomas Erastus: 'Si id hominum genus tollendum non sit e medio, cur tollitur adulter?' See Paulus in the *Katholik*, 1901, i. 210–211. When Hartmann-Jäger (*Brenz*, ii. 491) say of their hero, 'We must allow that, if not altogether lifted above his age, he had nevertheless more correct views (about witches) than most of his contemporary brothers in office and associates,' they contradict Brenz's own writings; cf. *Opera Brentii*, i. (Tubingae, 1576), 676: 'Sunt qui putant iniquum esse, ut malefici et maleficae morte condemnentur. Sentiunt enim maleficia esse vanas phantasias hominum et non rerum veritates, ac tanquam somnia esse iudicanda. Quis autem propter somnia morte punitur?' (Thus Weyer, who began a correspondence with Brenz.) 'Resp.: Verum quidem est, quod homo non possit sua virtute alteri maleficiis nocere; verum etiam est, quod Sathan coerceatur divinitus, ut nec ipse, nisi Deo permittente, possit homini nocumentum inferre, aut spectrum obiicere. Certum autem et illud est, quod Deus nonnunquam conniveat ad potestatem Sathanae, ut per hominem sibi idoneum multa mala in orbe exerceat . . . Sic fieri potest, ut Sathan sciens futuram grandinem excitet veneficam, quae suis incantationibus conetur ciere tempestatem et perdere fruges. Etsi autem veneficia per se nihil efficiunt, tamen quia in venefica est perfectus conatus malefaciendi, *idcirco leges non iniuste condemnant veneficas morte, sicut et latrones et incendiarios et homicidas.*' From the commentary on Exodus, concionibus publicis in Ecclesia Stutgardiensi explic. an 1557. Cf. *Centuria Epistolar. ad Schwebelium* (Bipontinae, 1597), pp. 308–314. A memorandum of the Strasburg preachers (Bucer, Capito, Hedio) of April 6, 1338, to Schwebel: Iudicium de sagis et veneficis puniendis. 'In omnibus rebus sequi oportet verbum Dei. Istud iubet receptis legibus parere. Leges iubent plecti eos, qui malis artibus et daemonum illusionibus se dedunt.' 'Hae leges ratae sunt in Imperio et respondent legi divinae (Exod. 22) . . . leges capitale fecerunt ipsum commercium cum daemonibus. . . . Proinde lege hac tenentur, qui ad artes istas se conferunt. . . . Principes itaque, qui non suum, sed Domini iudicium iudicant, legem etiam Domini sequi debent.' Still one must proceed circumspectly. The lawyers know

incarnate bewitches, maims and otherwise injures numbers of people, so that they no longer resemble human beings.'[1] 'Every day one hears of gruesome deeds,' said Andrew Althamer in 1532, 'which the devil has done; now thousands have been struck dead, now a ship has gone down with all hands, now a piece of land sinks in, now a town, now a village; one man stabs, another hangs, another drowns himself, another cuts his throat, and so on. All these calamities are brought about by the devil. He is hostile towards us, and therefore he takes our lives. He kills not only human beings but also cattle, besides which by hail, dearness, pestilence, war, treachery, sedition, &c., he destroys everything necessary to man's existence.' 'He plagues and torments mankind within and without. If God did not oppose the devil, no one of us would be able to

'multas vetulas levitate vulgi hoc crimine falso infamari; neque adeo tormentis inquirendum ad *cuiusvis* delationem, nisi argumentis non dubiis obnoxia aliqua ei amentiae apparuerit.' So the Strasburg preachers are not altogether against witch-trials. In spite of this Röhrich (*Gesch. der Reformation in Elsass*, iii. 127) writes: 'In the second half of the sixteenth century witches were again burnt at Strasburg, whereas since the beginning of the improvement in the Church this had not happened any more, and Bucer had *raised his voice strongly against such judicial murders.*' (Röhrich quotes in the *Centuria Schweb.* p. 308.) A. Erichson (*Martin Butzer, der elsässische Reformator*, Strasburg, 1891, p. 26) writes: 'Martin Bucer, if we believe reliable historians (Vierordt, *Gesch. der evang. Kirche in Baden*, ii. 122), was *one of the most* decided opponents of witch trials, that curse of Christendom.' Vierordt does not cite any source, he evidently has Röhrich in mind; cf. Paulus in the *Diözesan-Archiv von Schwaben*, 1897, No. 6. Brenz also said in a printed sermon on hail: 'Witches cannot make hail or thunderstorms or any like hurtful things, but when the devil, with God's permission, has produced such things, they imagine that they have done it; and on account of this wicked opinion, on account of this inward league with the devil, they deserve, according to the Carolina, to be punished with death.' Binz, *Joh. Weyer*, 2nd. ed. p. 77 ff.

[1] *Bergpostille*, 184.

stand upright; we should long ago have been maimed in all our limbs.' [1]

Still more strongly on the subject spoke the preacher Jodokus Hocker. Like every kind of disease and everything that was bad, so all immorality and profligacy, all thieving and robbery, all usury and financing, all drunkenness and gormandising came from the devil. 'In addition to this the devil is able to set fire to and poison the air, so that towns, country and people are destroyed by pestilence and other poisonous diseases. Item, when a fire breaks out, so that one or two houses are burned down, that is a work of the devil incarnate, who always stands by and blows the flames so that they may spread further and further. That ten, twenty, thirty, and even a hundred people die of the pestilence in one day, that sometimes whole towns are destroyed by fire; all that is all the work of the devil, who sends out his poisonous arrows, his leaden bullets and spears, namely, pestilence, glanders, fire and all sorts of disaster.' 'We ought always to wish that we were dead. Here, we are in the devil's kingdom, in the world where the devil is lord, and has the hearts of men in his power, so that he works through them as he wills. It is terrible, when one sees it clearly, but nevertheless it is true.' [2]

In like manner preached Hermann Straccus, pastor at Christenberg, in 1568. He told the people that the devil was 'a god and a powerful prince of this sinful, evil

[1] *Eyn Predig von dem Teuffel, das er alles Unglück in der Welt anrichte* (1532), Bl. A^3. B. ** An amusing devil's tale, told of a servant in Wittenberg, will be found in Christopher Sangner, a student there, in a letter of January 21, 1537, to Magister Stephen Roth at Zwickau; in Buchwald, *Zur Wittenberger Stadt- und Universitätsgeschichte*, p. 125 ff.

[2] 'Der Teufel selbs,' in the *Theatrum Diabolorum*, i., i^b. 22–23, 33.

and corrupt world.' 'These murderers and destroyers teach the arts of bewitching and shooting people, and by their evil spirits they make hail, thunder, ice, storms,' 'they have a great deal to do with the nixies and changelings, they give philtres, they compel human beings to run hither and thither, day and night, wherever they please to send them.' 'They ride on forks, animals, sticks, brooms, travel through the air, change themselves into human beings or animals.' 'When the devil gets power over an innocent child, he paralyses its nerves, and ties its tongue, throws it up and down, torments and plagues it till he has killed it, as many parents know to their bitter grief,' and so forth.[1]

In a book entitled 'Unterrichtung von des Teufels Tyrannei, Macht und Gewalt, sonderlich in diesen letzten Tagen,' which ran through many editions,[2] Andrew Musculus spoke out frankly his opinion that 'in no country did the devil exercise his tyranny so strongly as in Germany. There is such a multitude of evil spirits that as many as six or seven thousand will enter into one human being'; 'it is indeed very presumable that evil spirits are not to be found anywhere else in the world, but that they have all been dumped down in Germany.'[3]

All mysterious phenomena in nature and in human life were attributed to demoniacal influences, explained by 'co-operation with the devil.' A mass of devil's literature sprang up by which the mind of the populace was turned towards the Satanic, and for countless

[1] 'Der Pestilenzteufel,' in the *Theatrum Diabolorum*, ii. 285–286.

[2] Goedeke, ii. 480, No. 3 (1561, Erfurt; 1561, Worms; 1563, Frankfort, &c.).

[3] *Theatrum Diabolorum*, i. 101, 102.

numbers of people Satan became, their whole lives through, the dominant idea. Germany was completely deluged with popular writings, great and small, full of stories and reports of the different doings of the devil: tales of possession and exorcism, of leagues with the devil, of diabolical events in different parts of the empire, of ghosts and spectres of all sorts, as well as of bodily apparitions of the devil, who not only showed himself in secret to witches, but also openly to men and women, especially to those of high standing and great learning, princes, theologians and state officials.[1]

As in popular literature, so, too, in the fine arts and on the stage the devil came to play a very important part.[2]

Closely connected with the devil's literature were the innumerable writings on magic and marvels, spread broadcast over the land, sibyl-books, dream-books, planet-books, soothsaying-books, 'herbals and animal-books' predicting the future; 'forecasts and prognostications' with terrible prophesyings; writings on every imaginable occult art; 'magic spells and signs against the devil, against witchcraft, drowning and burning'; instructions on 'spirit seals' and charms for warding off evil spirits and sorcerers and so forth.'[3]

In the acts of the witch-trials we find not seldom mention of the writings on magic which the sorceress possessed. A 'Prockelsberggedicht' which had been

[1] See our fuller statements, vol. xii. 313 ff.; concerning the connexion between the belief in ghosts and the witch-superstition, see Horst, *Zauber-bibliothek*, ii. 305–320; ** and also Osborn, *Die Teufelliteratur des 16ten Jahrhunderts*, Berlin, 1893.

[2] Fuller details in vol. xi. 216–222; vol. xii. 123–137.

[3] Fuller details in vol. xii. 278 ff. See Diefenbach, 247 ff. ** See also Diefenbach, *Der Zauberglaube des 16ten Jahrhunderts*, p. 139 ff.

widely circulated since the beginning of the seventeenth century, in describing the profligate Blocksberg orgies of the witches with the evil spirits, alludes to the influence of the books on magic written by learned men.[1]

'From many different books,' said a witch accused at Rinteln in 1589, 'and with many accomplices, she had from her youth learnt the art of sorcery,' 'and such books were greatly in vogue.' Moreover, 'from youth up she had scarcely heard or read of anything else but witches and devil's brides, and how magic potions should be prepared, and she had become full to overflowing with all this stuff, and mentally distracted and intoxicated.'[2] A Quedlingburg witch confessed in 1571 that, 'through accounts of devil's courtships her sensuality had been aroused and she had been driven to this work.'[3] In a report of a Pomeranian witch-trial the meddling of witches with sorcery is attributed to the reading of the Amadis romance.[4]

No less corrupting than the books on sorcery and all sorts of magic arts were the numerous writings attributing most illnesses to 'magic causes,' and promising to cure them by 'anti-magic means.' 'Old wives'—the so-called witches—'gipsies, necromancers and vagrants,' wrote Paracelsus, 'have more knowledge of these things than all the high schools.'[5]

Countless was the number of these 'necromancers, miracle-healers, chiromancers, sorcerers, crystal-gazers,

[1] Jacobs, in the *Zeitschr. des Harzvereins*, iii. 798.

[2] Extract from a witch-trial of 'Gert Böcklin, who received her due at the stake on July 4, 1589.'

[3] *Zeitschr. des Harzvereins*, iii. 791.

[4] Horst, *Zauberbibliothek*, ii. 247.

[5] Fuller details in vol. xii. 286–289.

benison-dealers, exorcists, mandrake-hawkers, mouse-drivers or rat-leaders, and so forth, who swarmed about in towns and villages.'[1] These people were plentifully supplied with written or printed tickets of superstitious content.[2]

'Sorcerers, necromancers, exorcists, and soothsayers,' wrote the Jesuit, George Scherer, 'are pouring into the land and trying to gain the upper hand.'[3] In addition to these were the gipsies, 'public thieves and idle rascals from all sorts of nations and peoples, who went about in gangs and practised the art of telling fortunes from hands.'[4] Thus Dr. Faust also learnt from the gipsies and perambulating Tartars the art of chiromancy, or 'how to prophesy and soothsay from the hands.'[5] Even spirit-rappers and table-turners carried on their trade.[6]

Already at the close of the Middle Ages there was an abundance of stories current about devils, marvels and hobgoblins;[7] but it was not till the middle of the sixteenth century that they invaded the book-market in great numbers and to an extraordinary extent. 'The holy books,' wrote Dr. Christopher Gundermann, 'which tell us of the love of God and of works of Christian mercy are no longer in such use and demand as they were among the pious Christians of old. Everybody now buys books about devils, and pictures and rhymes about occult, magic and diabolical

[1] Fuller details in vol. xii.

[2] ** Cf. Pauls, 'Niederrheinische Molken-Zauberformeln,' in the *Zeitschr. für deutsche Kulturgesch.* (Jahrg. 1898), p. 305 ff.

[3] *Postille*, Bl. 274, 411[b].

[4] Olorinus Variscus, *Geldtklage*, 543–552; cf. Svatek, 278 ff.

[5] Widmann's 'Faustbuch,' in Scheible, *Kloster*, ii. 286.

[6] See present work, vol. xii. p. 353.

[7] See Gothein, 85 ff.

arts. I knew a tailor who possessed at least forty or fifty such books and leaflets, which had all been printed within one or two years, and he boasted of them as though it were honourable and Christian to have such tales of devils and scandal in the house.' 'For a great many years it has been the custom to print and sell an innumerable quantity of broadsheets, tracts and so forth, all about witches, sorcerers and all sorts of devil's fry, also about wonders and apparitions which are said to have taken place, absurdities which formerly no sensible person could have believed, but which the whole world nowadays, young and old, high and low, devours greedily, as though they were gospel truths. The world has become wavering in its faith, but all the more credulous with regard to any and every tale about devils and ghosts.' [1]

'In broadsheets and tracts of this kind, and even in big books, the people learn about every imaginable absurdity; for instance, about fish with popes' heads and Jesuit caps, grasshoppers with monks' heads, magic herrings which were caught in Denmark and Norway, and which inspired and moved the pens of Protestant theologians; further about new-born infants with two, three and more heads, about children with fiery eyes and tails an ell long, who spoke directly after

[1] *Von den Wercken christenlicher Barmherzigkeit* (1615), Bl. 5ᵃ, 7. ** Kuno Wiederhold, the son-in-law of the famous Frankfort bookseller, Sigmund Feyerabend, about the year 1595, borrowed one night from a Frankfort Jew the sum of 300 thalers wherewith to undertake a journey to Prague, where he wanted to see in a mirror, at a necromancer's or exorcist's, what his wife was doing at home and how she was keeping the house, also because he wished to try and bring back his Satanic majesty himself safely bottled up in a jar. He afterwards told the manager of the Frankfort business that he had seen quite well everything that went on at home—Pallmann, 76-77.

their birth; about cows or horses which had brought children into the world, about women who had given birth to little pigs, donkeys or wolves, and even live devils; about snakes and toads which had spoken quite plainly in the hearing of numbers of people, and so forth.' It was therefore no wonder that everything that was recounted about witches and their arts was accepted as 'veritable history.'

The "wonders" from the kingdom of the dead and of spirits which were circulated among the people were intimately connected with the belief in witches: even stones could talk, and the moon frequently stooped down to the earth and announced with a loud voice forthcoming terrible events.' [1]

'To excite fear, alarm and horror,' was also the object of the countless tales and songs about the worst criminals and their gruesome executions, especially about the thousands of witches and evil spirits, who after torture unspeakable were led to the stake.[2]

The barbarous love of scenes of murder and horror was also greatly fostered by stage-pieces performed before the assembled populace.[3] The preacher, Thomas Birck, wanted to represent witches and the whole business of witchcraft on the stage.[4]

'But,' says a contemporary, 'all that we can hear or read in books, rhymes and plays about murderers and robbers and other devilish creatures in human form, about people who change into werewolves and have often killed hundreds of other people, about sorcerers and witches and suchlike devil's fry, all this is not as terrible as the martyrdoms and executions

[1] Fuller details in vol. xii. 239–247. Horst, *Zauberbibliothek*, i. 306–314.
[2] See vol. xii. 269–276. [3] See vol. xii. 167–175. [4] Vol. vi. 134–171.

which go on under our eyes and often appear to the people in the light of barbarous, sensational plays.' Such spectacles could only serve to blunt all finer human feelings, and to increase the general demoralisation that was obtaining.

'The populace,' the contemporary goes on, 'sees the witches and sorcerers taken to the place of execution in the knacker-carts; often all their limbs and members have been lacerated by torture, their breasts all pounded up, their arms dislocated, their knees broken, like the thief on the cross; they can no longer walk or stand, for their legs are crushed; then they are fastened to the burning stake, and they begin to howl and groan at all the martyrdom they are suffering; one cries out to God and appeals to the righteousness of God with a loud voice, another invokes the devil, curses and swears in the very face of death: but the people, noble and humble, young and old, look on at it all, jest, mock, often ridicule and abuse the poor miserable victims—what do you think, good Christian reader, who bears rule here? and who is it who jubilates and triumphs when he sees all this anguish and torture and the staring onlookers, among whom there are many who will serve for the next roast: is it not the devil? Yes indeed. You know the devil of old, for he is in the midst of you in all the blasphemous cursing and swearing which you indulge in without shame or scruple, worse indeed than ever the heathen were guilty of. There is no doubt whatever that the sin of blasphemy is bringing sorcery and witchcraft more and more into vogue in all lands. Is it not as though this inhuman cursing and swearing, as well as the inhuman drunkenness, adultery and profligacy had, so to say, let the devil

loose among us, and as if he had taken up his abode on earth?' It was no isolated case that occurred when, at Ortenberg, a woman was led to the stake who had been accused as a witch by her own son, because of the unchristian life of blaspheming, swearing and fighting which she led at home.[1]

'Because, in addition to the dreadful cursing and swearing,' preached Bernhard Albrecht in Augsburg, 'anger also, quarrelling and hatred, murder and bloodshed are no longer considered wrong and punishable among the children of the world, God is punishing it all with this revengeful and murderous rabble of the devil, who is a murderer from the beginning and only delights in strangling and killing, and who is incessantly inciting his instruments, the sorcerers and witches, to commit murder and slaughter among mankind.'[2]

Other contemporaries declared 'blasphemy of God' to be a kind of initiation into the art of magic and witchcraft. It was, as it were, 'a pestilence diabolically poisoning the air, and it must be a source of horror and alarm that already the whole of the youthful world was practising such vices like a trade.' 'Young children in the streets,' it says in a 'Prognosticum' of the year 1595, 'swear and blaspheme nowadays in a way to make the very stones cry out.'[3] People actually went so far as to compete with each other as to who could invoke the devil with the worst oaths and imprecations. In Dresden, on one occasion, twenty people were punished by imprisonment, banishment and the pillory for having engaged in a competition of this sort.[4]

The preacher Caspar Goldwurm (1567), among others,

[1] Volk, 9.
[2] Albrecht, *Magia*, 239–240.
[3] *Prognost. theol.* ii. 58.
[4] Weck, 541.

also brought into connexion with witchcraft the sins of immorality which were carried on openly and shamelessly, and the altogether abominable sodomy that went on.[1]

In the witch-trials themselves the accounts, too revolting for description, of the orgies between the devil and the witches, appear as the basis of witchcraft and present an appalling picture of the times. Frequently trials for immorality and adultery changed under the judges' hands into witch-trials, and there can be no doubt that very many of those who were charged with witchcraft were people who had been guilty of the worst offences against morality. 'Witch-gatherings, i.e. nocturnal assemblies and orgies among the common people, in which rakes and debauchees, travelling students, landsknechts, bawds and prostitutes, with or without disguise, played the part of devils and she-devils, did in reality not seldom take place.[2] As little

[1] Cf. Jacobs in the *Zeitschr. des Harzvereins*, iii. 796.

[2] Cf. Jacobs in the *Zeitschr. des Harzvereins*, iv. 294 ff.; Raubert, 9; Reuss, *La sorcellerie*, 130 n.; Stöber, 300; Holzinger, 37–38. Profligate gatherings of whole villages are mentioned, for instance, by Wagner, *Gesch. von Hadamar*, ii. (2nd. ed.) 288. The Jesuit Adam Tanner (*Theol. scholast.* iii. 4) tells of such gatherings and calls them 'diaboli gymnasia et strigum utriusque sexus seminaria.' Cf. B. Duhr in the *Innsbrucker Zeitschr. für kathol. Theologie*, xii. 135. Concerning she-devils, see *Zeitschr. des Harzvereins*, iv. 291–293; Reuss, 30. 'That the females inquired into led disreputable lives,' wrote Vilmar, 177, 'is in the majority of cases known to me, declared by the witnesses: generally, too, proved and acknowledged.' 'Evidently the debauchees of the period made use of the glamour of occult arts and enjoyments to work on the evil tendencies of the common people and to gain for themselves greater security in the practice of their immoralities.' Sometimes 'the evil one, with his black hat and three feathers, one white, one green, and one black,' was no other than a landsknecht; a case belonging to the beginning of the seventeenth century makes it tolerably certain that a 'witch-dance' did veritably occur, but the devils were only wild adventurers of the period, cavaliers, landsknechts and students.

can it be doubted that among men and women, and that not only of the lower classes, extensive use was made of all sorts of intoxicants and narcotics, either as drinks or as salves, as for instance hellebore, deadly nightshade, white poppy, henbane, and so forth, which roused "lustings and enticements," caused deep sleep accompanied by all sorts of phantasms, in which the witches dreamt of dancing, eating, drinking, music and suchlike, and also believed that they were flying through space.'[1]

Shame and a bad conscience, so it appears, shut the mouths of the females—even they knew quite well who their paramours were, and they preferred calling them devils rather than men. In an 'Instruction' which Henry Institoris gave a colleague in 1485, it says: 'Regula generalis est, quod omnes maleficae a iuventute carnalitatibus et adulteriis servierunt variis, prout experientia docuit.' In Ammann, *Innsbrucker Hexenprozess von* 1485 (see above, p. 251, n. 1), p. 39. Wuttke (*Der deutsche Volksaberglaube der Gegenwart*, 2nd. ed. pp. 144–145), rightly says: 'It may fairly be assumed that a large number of the witches accused at that period were also thoroughly depraved people, addicted to godless living, who greedily adopted the blacker elements of heathen superstition and were willing to turn sorcery to the worst possible uses.'

[1] See Holzinger, 10–16. The author combats the view put forward by L. Mejer in his pamphlet 'Die Periode der Hexenprozesse' (Hanover, 1882), 'that the intoxicating draught was a concoction made from the thorn-apple, which when taken produced visions and dreams.' The result of Holzinger's researches is that the thorn-apple was very rare in Europe till the close of the sixteenth century, and not known at all in Germany till the first half of the eighteenth century. According to Weyer's account of the witch-salves (*De praestigiis daemonum*, lib. ii. cap. 31), the chief ingredients, besides a variety of innocuous things, were always the saps of narcotic herbs, which had a specially powerful effect on the sensorium (p. 14). Concerning the 'witch and sorcerers' brews' which the associated witches prepared on the Walpurgis night, under invocation of the devil, see the witches' confessions in the *Zeitschr. des Harzvereins*, vi. 310 ff., also iv. 298. Maury, *La magie*, 423 ff. Concerning witch-salves, see also Moehsen, *Gesch. der Wissenschaften*, 439–441; Franck, 129; Schindler, 286–287; Reuss, *La sorcellerie*, 132–136. ** Geiger in Burckhardt, *Kultur der Renaissance*, ii. (7th ed.) 356 ff. For Weyer's account of the sleep- and dream-producing poisonous plants, amongst which he puts belladonna in the forefront, see Binz, *Joh. Weyer*, 2nd. ed. p. 36 ff. Binz further remarks, p. 37: 'I could also prove, from present-day medical experiences, that

Very frequently, according to reports of the trials, 'oils, salves, injurious powders, pots and cauldrons with vermin and men's bones, toads in potsherds or jars,' were found in the dwelling-places of the accused. According to the statements of the witches the salves, for which the fat of murdered and unbaptised children was used by preference, served both for 'the necessary anointing for the performance of witch-dances and for magic injury to human beings.' Of real poison-mixers, male and female, there was no lack among the 'sorcerers and witches' brought up for trial; as with so many of the trials for immorality, so too trials for murder, robbery and deadly injuries, were often conducted as witch-trials, 'because the devil had certainly had the largest, if not the sole share in the game, and because he led all those who were befooled or subjugated by him—even without an express compact—into all such inhuman abominations.' Many people also entered into actual league with the devil, and thought 'by the use of fiendish means to make themselves masters of superhuman arts with a view to injuring their fellow-men.'[1]

under such acute poisoning with narcotic drugs women will have dreams having all the appearance of actuality. If we transplant all this to the brains of people of Joh. Weyer's time, we can easily believe that the latter, in their search for natural explanations of witchcraft, also stumbled upon dream-bringing poisons. Here and there such narcotics were perhaps the cause of self-deception and error in others. It shows, however, but slight acquaintance with the mechanism of these horrors to represent these herbs as the ordinary cause of such things and to exculpate in consequence the witches.'

[1] There is much in the witch-trials which points to incidents such as R. v. Krafft-Ebing describes in his *Psychopathia sexualis* (5th ed. Stuttgart, 1890); see especially p. 46 ff. on the psycho-sexual monsters, corpse-violaters, and so forth. That in the witches' 'confessions' as to poisoning, murder, &c., it was often enough a question of real crimes, may be inferred from the numerous instances of crimes of the most recent time, quoted by

Nevertheless the number of innocent victims was out of all proportion to the guilty. In the first place

the author. In the witch-trials themselves, moreover, there are adequate proofs of this; see G. W. v. Raumer, *Märkische Hexenprozesse*, 239 ff.; Jacobs, in the *Zeitsch. des Harzvereins*, iv. 303–304; Rhamm, 104. As an explanation of witch proceedings in general v. Raumer says (*Nachrichten*, 236–237): 'The witch-trials in which, in the preceding century, were seen only self-deception, intentional fraud and sheer superstition, have in recent times regained importance for the reason that the experiences and data collected on the subject of magnetism, and the phenomena of so-called somnambulism, show at least this much, that underlying the facts which come down to us from the past there is—to judge from all the circumstances—an actual state of exaltation, of ecstasy, and that under certain presupposed conditions one human being can work upon another in a manner far surpassing anything possible in a normal, healthy state, and which may to a certain extent be characterised as bewitchment. Without therefore attributing any objective reality to the marvels of sorcerers, the leagues of the witches with Satan, the rides on the Blocksberg, and so forth, which we must always put down to superstition, it must nevertheless now be conceded that a certain element of reality may reasonably be recognised in many of the accounts of the bewitchment of human beings and cattle, and the injury done by poisons and incantations; particularly it has been shown that diseased states of exaltation may pass from one to another by a kind of infection. Thus, the accounts preserved to us on this matter have at the present day a higher psychological interest, since they bear witness to peculiar subjective conditions on the dark side of mental life, which, though they must be regarded as mere abnormal conditions, and by no means, as is sometimes done, as religious and normal spiritual states, are at any rate worthy of the same attention which every other enigmatical disease of the body deserves. The burning of witches (although frequently other crimes worthy of death were mixed up with witchcraft) must always be regarded as a most melancholy aberration, but we must none the less grant nowadays that the superstition of our ancestors, and their consequent misconception of justice, was essentially due to the fact that they attributed an actual objective reality, a *corpus delicti*, to speak juridically, to leagues with the devil, which, according to the ideas then current of the proper penalties for sins committed against God, it was right to punish with the severest mode of death.' See the '*Erklärungsversuche*' in matters of witchcraft, in Diefenbach, 169–176. Further, let me also refer to C. Du Prel (himself indeed highly steeped in superstition) and his *Studien aus dem Gebiete der Geheimwissenschaften* (Leipzig, 1890), Part i. chap. i.; on witches and mediums, chap. ii.; the witches' trial by water, pp. 1–34. A. Biermer, 'Psychische Volkskrankheiten,'

in the witch-trials, in many cases, it is a question of mentally afflicted persons, suffering from illusions of sight or hearing, and all that they say about the devil and his dominion over all mental and bodily life, about devil's arts and devil's brides, sabbaths and orgies is simply what they had heard from their youth up and had come in consequence to think they had themselves experienced. Of mental diseases, however, the people of that age, speaking generally, had little understanding; they regarded them as something contrary to nature,

in the *Deutsche Revue* (Novemberheft, 1890). ** Riezler says (p. 155 ff.): 'Every explanation which is sought for in the actions, conditions, or capacities of the accused, and not in the notions of the magistrates and the method of juridical procedure, is to be rejected. . . . Assuredly the people of that age often dreamt witchcraft: the opposite would indeed be wonderful, seeing that there was so much talk about it in daily life and the subject enormously excited the imagination. The frequent "confessions" of intercourse with the devil were chiefly to be attributed to the dreams of the tortured victims, who through suffering and terror were often driven nearly mad. Even in the minds of those who were free from accusation, every witch-trial called up images which could not fail to haunt them waking and dreaming. But the use of narcotic means was not necessary for this, and dreams of this sort have nothing to do with the imprisonment and sentences of witches. Suggestion came about either through witchcraft being in the air, and thus forcing itself on the fancy of the victims, or through the judges suggesting the subject-matter of the "confessions."' P. 157 ff.: 'Janssen-Pastor sets too much store by these attempts at an explanation, assuming that *many* of the persons accused of witchcraft were depraved people guilty of the heaviest offences against morality, that witch-gatherings in reality not seldom occurred, that all sorts of intoxicants and narcotics were in vogue in the shape of drinks and salves, that *many* also actually entered into leagues with the devil. Finally, as regards the connexion between witchcraft and mental disease, a doctor in his investigation of the matter (Snell, *Hexenprozesse und Geistesstörung*, Munich, 1891) has come to the rightful conclusion that among the victims of witch-trials, mentally deranged persons figured on exceedingly few occasions. Snell's assumption (pp. 74–112 ff.) that the first impulse to investigation in many of the trials was given by the statements of sick, and above all hysterical people, can be accepted only by substituting for the words "a large number" "a comparatively small number."[2]

as evidence of punishable magic or necromantic influences: not seldom also other diseases, epilepsy, hysteric seizures, or somnambulism, were treated as sorcery and witchcraft, and their victims burnt to death.

Most of the accused, however, fell a prey to the worst of passions.

The belief in witchcraft and sorcery, by which all brains were possessed, and the concomitant terror of witches, that had become a regular popular craze, were perpetually fed and strengthened on the one hand by the growing demoralisation around, while on the other hand they were an abundant source of vice and depravity, of greed, calumny, faithlessness, envy, persecution, bloodthirstiness and murder. In trials innumerable the moral depravity of the torturers, the officials, judges and clerks play a disgraceful part, whilst in case after case the whole judicial procedure against the witches was conducted in such a manner that many thousands of innocent victims were driven, mad with torture, to the stake, and out of every funeral pile rose a fresh crop of witches.

CHAPTER V

IMPERIAL PENAL LEGISLATION AGAINST WITCHCRAFT AND ITS VIOLATION IN JUDICIAL PROCEDURE—WITCH-PERSECUTION FROM THE TIME OF THE CHURCH SPLIT TO THE LAST THIRD OF THE SIXTEENTH CENTURY

By the 'penal statute of Charles V.'—the so-called Carolina[1]—which was ratified at the Ratisbon Diet of 1532, it was ordained by imperial law that sorcery should be treated as a criminal offence. 'If anybody,' so ran the decree (Article 109), 'inflicts injury on people by sorcery, he shall be punished in life and body, and the punishment shall be through fire. When, however, sorcery has been used, without injury being done to anybody, the penalty shall be according to the circumstances of the case, whereon the judges shall take counsel.'[2]

[1] ** See above, p. 176 ff.

[2] This decree was taken from the criminal ordinance drafted in 1507 by the Baron John von Schwarzenberg for the prince-bishopric of Bamberg. In the Bamberg laws previous to the time of Schwarzenberg of which we have any record there is not the slightest trace of the crime of witchcraft. See H. Zöpfl, *Das alte Bamberger Recht als Quelle der Karolina* (Heidelberg, 1839), p. 121. ** Concerning John von Schwarzenberg, 'who later on became one of Luther's most zealous adherents,' Riezler (p. 138) remarks: 'The mind of this man had a marked inclination to dogmatism, and especially to belief in the devil's influence in the world. The devil enters into the titles of the two publications in which he declared his Protestant conviction,

'If anybody confesses to sorcery,' says Article 52, 'the causes and circumstances must be inquired into, wherewith, how and when the sorcery was exercised, with what words or actions. The person must also be asked from whom he learnt sorcery, whether he had practised it on other people, and on whom, what injury he had caused by it.'

As 'sufficient reasons for examination by torture' Article 54 mentioned the following: 'If anybody sets up to instruct others in sorcery, or threatens to bewitch anyone, and the person in question is bewitched; also if anyone has special relations with sorcerers or sorceresses, or deals in suspicious things, gestures, words and spells of such sort as carry magic in them, and the said person is also notorious in these matters.'

In Article 58, 'Von der Mass peinlicher Frage,' it says: 'The statements which the accused makes under torture shall not be accepted or written down, but he shall make his statements when he is released from torture.'

To these decrees of the Imperial statute-book the judges appealed when conducting witch-trials; but the regulations in these same statute-books for the protection of the accused were seldom observed by them.

It was also enjoined by statute that the judges were to be expressly debarred from all recourse to suggestive questions. The accused were to be questioned 'as to all the circumstances of the evil doing, in order to get to the basis of truth'; but this object was defeated if these

Beschwörung der teuflischen Schlangen mit dem göttlichen Wort (1524), and the work directed in 1526 against the Franciscan Schatzger with the rhymed title *Büchlein, Kuttenschlag genannt, das Teufels-Lehrer macht bekannt.*' For the Karolina and its penal decrees against witchcraft, see also Diefenbach, *Der Zauberglaube des 16ten Jahrh.* p. 162 ff.

circumstances were first 'suggested' and then inquired into. This was not to be done. 'Before and during the examination' nothing was to be 'held up' against the prisoner, but he must be left to tell the circumstances of the case quite of his own accord; in short, in the use of torture confessions were not to be forced by the help of leading questions. In opposition to this rule, which afforded the accused a certain amount of protection, it soon became the custom to extort the most extraordinary and senseless confessions by means of such questions.[1]

Further, the Carolina decreed in general that the judges were not to take any special remuneration for executing punishment on the evil-doers, 'because such a course was quite opposed to the office and dignity of a judge, and also to justice.' No less was it indirectly forbidden to seize the property of executed sorcerers and sorceresses, or to hand it over to the territorial lords, and so bring the wives and children of the victims to beggary. For confiscation of property was only to take place in the case of such criminals as had forfeited life and property according to the imperial laws: but sorcery did not come under this head. In complete contradiction to these decrees, the witch-trials were only too frequently exploited by avaricious judges for their own enrichment, and by confiscation of goods, witchcraft, as Cornelius Loos expressed it, came in many places to be a new alchemy for making silver and gold out of human blood.[2]

[1] ** The use of these suggestive questions, in defiance of their prohibition, may well in great measure explain the striking fact of the exact coincidence between the statements in almost all the witch-trials.

[2] Concerning Cornelius Loos, cf. the following section.

It was especially disastrous for the sorcerers and witches that the excepting clause of the Carolina, 'only those shall be punished with death who have inflicted real injury or damage,' fell into disuse in the great majority of law-courts, and in many cases was formally set aside by the territorial laws of individual princes. Thus the criminal ordinance of the Elector Augustus of Saxony[1] decreed that: 'If anyone, forgetful of his Christian faith, makes a compact with the devil or has any dealings with him, such person, although he or she shall have done no one injury by sorcery, shall be burnt to death with fire.' The same decree was inserted in the territorial statutes of the Palatinate and was recommended both by the theological and juridical faculty of the Protestant College at Heidelberg.[2] The territorial law of Baden-Baden also brought this 'severer practice' into vogue.

Another vitally important article of the Carolina, which was not observed in the witch-trials, ran as follows: 'Nobody shall be put in prison or subjected to trial by torture on the information of persons who presume to soothsay and prophesy by sorcery or other such arts, but the soothsayers and accusers shall themselves be punished. And if the judge proceeds further on the strength of such soothsayers' statements, he shall himself be bound to pay the cost and make compensation for the victims' sufferings, injuries and loss.'

Thus no credit was to be attached to the statements of sorcerers and soothsayers, and yet in the procedure of the trials in the very cases in which the largest amount of fraud, illusion, and unjust accusations might

[1] We shall deal with this later on.

[2] Wächter, 290–291. Soldan-Heppe, i. 441–442, and ii. 13 note 1.

be presupposed, viz. in cases of witchcraft, credence was given to the utterances of the accused and tortured against accomplices in the works of sorcery, and the persons specified were handed over for trial and even subjected to torture.

From the general and also the special decrees of the Carolina against sorcerers and witches it is plainly manifest that the barbarous excesses of witch-trials were due to non-observance of the imperial penal laws, hence also to contempt for the authority of the Emperor.

Respecting the procedure at witch-trials in general the words of the Protestant theologian Meyfart are perfectly justified: 'Our Nation has changed justice into contemptible passion.' [1]

The barbarous nature of these witch-trials, so fatal for the accused, was first and foremost the result of the generally accepted juridical idea of witchcraft as an 'exceptional crime' in dealing with which the judge was not bound to abide by the usual course of procedure and by legal prescription, but on the contrary might overstep according as he thought fit the limits otherwise assigned him. By this means every imaginable brutality was rendered possible. Another significant factor in these trials was the replacement of the ancient indigenous method of trial by the inquisitional process, which handed over the accused almost entirely to the tender mercies of judicial arbitrariness. This last method gradually gained complete dominion after the legal mode of securing evidence had been given up, and everything was made dependent on the statements of the accused, which statements, however, were wrung out by every possible device of torture. The

[1] Meyfart, 412.

accused were kept on the rack and tortured until the last remnants of will-power had been crushed out, and in their anguish they were ready to say 'yes' to any questions that were put to them. The rack, crueler than the cruelest punishment, was the chief means for the discovery of innumerable witches. 'Woe to the poor wretch,' wrote later on the Jesuit Frederick von Spee, 'who has once set foot in the torture-chamber! He will not be let out again till he has confessed everything imaginable. I have often thought to myself that the reason why we are not all of us avowed sorcerers is only that torture has never fallen to our lot, and very true is the boast recently made by the inquisitor of a great prince, that if the Pope himself should come under his hands and his torturings, even his Holiness would end in confessing himself a sorcerer.' 'Treat the heads of the Church, treat the judges, treat me myself like those unfortunate creatures, subject us to the same torments, and you will find us all also to be sorcerers.'[1]

An accurate comparative computation of the number of witch-trials, according to different localities and creeds, is not possible from lack of adequate documentary information.[2] Many trials took place which have not been at all recorded in writing; of many others the minutes have either been destroyed, or still rest undisturbed in the Archives. If, therefore, for the period from about 1520–70 we have very few reports to hand of witch-trials in Catholic territories, it does not necessarily follow that in these districts, during that period, very few witches were brought to trial and condemned;

[1] Wächter, 96 ff., 321. Soldan-Heppe, i. 332 ff.

[2] See E. Jacobs in the *Zeitschr. des Harzvereins*, i. 145. ** See also Riezler, 140 ff.

only, as far as can be judged from the documents at hand, by far the greater number of trials occurred in Protestant districts after the introduction of the new doctrine.

Thus in the Mark of Brandenburg, accusations and torturings begin first under the Protestant Elector Joachim II.[1] The first case of witch-burning occurred in 1545. At the execution of a sorceress at Berlin in 1552 there was, according to the chroniclers, an extraordinary occurrence. When the flames ascended a heron flew into them, remained in them a short time, and then hurried off with a bit of the victim's skin. This was seen by hundreds of people, who were firmly convinced that it was the devil. From this time forth the belief in direct communication between the incarnate evil one and human beings who had a liking for him, gained ground more and more.[2] In 1553 at Berlin, so the Augsburg preacher Bernhard Albrecht told his hearers, 'two witches were caught who had destroyed the crops in the fields by hail and thunderstorms. In addition to this they had stolen a little child from a woman in the neighbourhood, cut it up in pieces and boiled it. But by a special providence of God the mother of the child had come up, seen the pieces lying in the saucepan, and informed the magistrates. When these two witches were taken prisoners and examined on the rack they stated that had they completed their boiling process such weather would have come that all the fruits in the field would have been destroyed.'[3] In the same year, 1553, the Duchess Anna of Mecklenburg,

[1] From an earlier period two cases are known: the first in the year 1390, the second in 1423. Fidicin, v. 425–426.

[2] Fidicin, v. 426–427.

[3] Albrecht, *Magia*, 187.

by birth Margravine of Brandenburg, accused a woman of having bewitched her and made her ill, and appeared in person at the trial. The accused confessed that 'the devil had frequently appeared, even at the door of the Margravine Anna's room, in the shape of a black he-goat, and had talked with her.' Another witch was burnt because she was supposed to have sent 'flying spirits' into a brewery. The Altmark and the Priegnitz were especially alive with sorcerers and bad spirits. Because the electoral prince John George, between the years 1557 and 1560, lost three sons and five daughters at very early ages, the misfortune was set down to witches, and the latter confessed on the rack to all the questions put to them concerning their guilt.[1] At Küstrin, in 1559, a 'new prophet,' who 'by the inspiration of the devil' made it his business 'to betray witches,' was publicly burnt.[2]

At Gardelegen fourteen witches were burnt in the years 1544–54;[3] at Wernigerode five in the years 1520–23;[4] at Erfurt three in the years 1530, 1538 and 1550.[5] Once at Wittenberg four persons were burnt on one day as witches and sorcerers, and the execution was made publicly known to all the inhabitants by a special woodcut in which the unhappy wretches were depicted with torn and lacerated limbs. Above this woodcut

[1] v. Raumer, 'Hexenprozesse,' in the *Märkische Forschungen*, i. 238–244. Witch-trials dealt with by von Heffter in the *Zeitschr. für preussische Gesch. und Landeskunde*, iii. 523–531. Leutinger, *Comment*, 413, 629. Moehsen, 512.

[2] *Märkische Forschungen.*

[3] Dietrich und Parisius, *Bilder aus der Altmark*, Lieferung vii. 15.

[4] *Zeitschr. des Harzvereins*, i. 146.

[5] Jaraczewski, *Zur Gesch. der Hexenprozesse in Erfurt und Umgegend* (Erfurt, 1876), pp. 25–26. Richard, *Licht und Schatten*, 146.

was the inscription: 'Romans xiii. v. 3, 4. For rulers are not a terror to good works, but to the evil . . . for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil.' Beneath it were the words: 'For many and various wicked misdeeds, these four persons, as here depicted, were executed by fire at Wittenberg, on the day of SS. Peter and Paul, Anno 1540; namely, an old woman over fifty, with her son, who had somewhat given himself up to the devil; especially, however, the woman, who had been the devil's paramour, had practised sorcery for several years, had made bad weather, had injured numbers of people with poisonous powder, and had also taught others to do the same, had, with her three associates, strewed poison over a number of meadows where cattle grazed, and thus caused the death of quantities of oxen, cows, pigs and so forth, which she afterwards flayed and skinned, and so made a little profit for her wicked, accursed avarice. And this picture has only been made, because there are multitudes more of these mischievous gangs in the country, that it may be a terror to them and also incite the rulers to give diligent heed to them, so that poor people may be protected from injury. God Almighty preserve all Christian souls from the devil's cunning wiles and assaults. Amen. Psalm lxxxiii. 3: "They have taken crafty counsel against thy people, and consulted against thy hidden ones."' [1]

In Hamburg the first great witch-persecution did not begin till 1555; its inception synchronises with

[1] This woodcut, which is in my possession, by itself refutes the assertion of Mejer (p. 14): 'In Protestant Germany witch-trials nowhere took place before 1560.'

the first use of the rack in this city. In the same year fourteen witches were taken prisoners; two of them died under torture, four perished at the stake.[1]

In Osnabrück, where during the whole first half of the century only one prosecution of witches occurred (in 1501), in 1561, sixteen women were burnt.[2]

In the Cleves district only one case of witch-burning is known, in 1535. The charge against the woman in question was that she had not only by witchery knocked down travellers on the high roads, but had also overturned the heaviest freight-wagons.[3]

In the Nassau district, in 1522, at Geisberg, three sorceresses were burnt to death at the same time.[4]

The council of Frankfort-on-the-Maine was particularly circumspect in its dealings with witches. Besides one trial, in the case of which an innocent person was kept in prison more than three years (1540–44) and repeatedly put on the rack,[5] there are no reports of other cases there.

The council at Nuremberg exercised the same prudence. To the Ulm magistracy, which questioned it in 1531 about a case of witchcraft, it answered that 'it had never had much opinion of this witch business, and always found that it had no foundation; it had therefore never done any more than banish such persons out of its district.'[6] In the same year, 1531, Hans

[1] *Trummer*, lxiii. 111–112, 115.

[2] *Mitteilungen des Histor. Vereins zu Osnabrück*, x. 93.

[3] Horst, *Zauberbibliothek*, iv. 290–291.

[4] *Annalen des Vereins für nassauische Altertumskunde*, xix. 105.

[5] See Grotefend in the *Mitteilungen des Vereins für Gesch. und Altertumskunde in Frankfort-on-the-Maine*, vi. 70–78.

[6] v. Breitschwert, 10, n. See *Württembergische Jahrbücher*, 1822, p. 358. ** See also Knapp, *Das alte Nürnberger Kriminalrecht*, p. 275 ff.,

Sachs declared that the weather-making of the witches was sheer lying and imposture :

Devil's wooings and courtships
Are mere ghost-tales and phantasy ;
Rides on goats and midnight trips
Are only devil's trickery.
The witch lies sleeping in a trance
And dreams she flies, joins in a dance,
Accomplishes this work or that,
Is changed into a dog or cat.
It's nought but pagan mockery
Ensnaring those who God deny.
But if in God you put your faith,
You can't be harmed by any wraith.[1]

On the other hand, at the same date in Switzerland, according to a recess of all the places in the district of Baden on March 27, 1531, people were horrified 'because there were so many evil spirits and witches all over the land, that it was quite unspeakable.'[2] 'In the Veltlin,' wrote the Protestant Joachim von Watt (Vadian) in 1531, 'there are witches and evil spirits without number, and 300 of them have been burnt since the time when the three confederate states took the matter up, and nevertheless it was said that the vermin had not yet been rooted out.'[3] How barbarous the procedure was in Vaud, then recently conquered by Bern, is shown by an injunction which the Bernese

where similar utterances of councillors in the same years are quoted from the Acts. In 1591 they (the councillors) caused great indignation by forbidding the torturing of an old woman accused of witchcraft, with the injunction that 'torture was not to be resorted to on the mere statement of untrustworthy persons against others ; whatever magistracy did this would be bound to compensate the victims for their sufferings and to pay all costs and damages' (*l.c.* p. 270).

[1] *Hans Sachs*, Edition of Keller, v. 287–288.

[2] *Archiv für schweizerische Reformationsgesch.* ii. 168.

[3] v. Watt, iii. 279–280.

government issued to its officials on July 25, 1543: 'We are informed as to the excessive cruelty and illegality of the way in which the nobles and the squires in your district, and elsewhere in our newly-won territory, proceed against the poor people who are suspected of witchcraft or sorcery. We hear that on the slightest calumny or statement, after a single incomplete examination, the said suspected persons are forced by great and unwarrantable suffering (such as applying fire to their feet, strappado, and so forth) to confess to offences of which they have not been guilty, and that without further trial they are sentenced to death.' Such proceedings were henceforth not to be allowed either to officials, or to justiciaries; the latter were not to proceed against accused persons without sufficient ground, they were to abstain from unusual modes of torture, to seek carefully for the 'evil sign,' and in doubtful cases ask advice of the magistrates, 'so that no one (should) be wronged and yet the evil be punished.' But these prudent regulations of the government were seldom attended to.[1]

'Although we both wish to and must punish and root out evil spirits and sorcerers in accordance with God's stern command,' says a Protestant 'Kurzes Traktätlein von Zauberei,'[2] 'it is nevertheless not considered wise by all people, to proceed against them so extravagantly as was done under Calvin in Switzerland.' Under Calvin executions had taken place at Geneva in gigantic numbers. The documentary details about them are blood-curdling. Geneva had been visited since 1542 by a severe pestilence, which was

[1] Fuller details in Trechsel, *Berner Taschenbuch von* 1870, p. 140 ff.

[2] We shall come back to this later on.

attributed to 'pest preparers,' who were supposed to have brought about the misfortune by sorcery and alliance with Satan. Numbers of unfortunate people were put in prison, on the rack, sent into exile, put to death on the scaffold, at the stake. The number of imprisonments in the years 1542–46 is reckoned at from eight to nine hundred. At the beginning of 1545 especially, incarcerations and trials multiplied in an appalling manner. The prison jailer informed the council on March 6 that the prisons were overflowing with accused persons, and that he could not take in any more. In order to wring confessions from the accused new torments were invented: they were pinched with red-hot tongs, subjected, sometimes nine times, to the martyrdom of the strappado, they were walled in, and when they would not 'own to the truth' they were starved to death. 'But whatever agony they are made to suffer,' a report complains, 'they will not confess the truth.' Many of the poor wretches died under or soon after the torturing, amid protestations of innocence; others, in desperation and to escape further martyrdom, put an end to themselves: 'at the instigation of Satan,' the official report adds. The executioner's arm became palsied under the stress of work, which, as he told the council in May, was beyond the strength of *one* man. Within three months thirty-four people, amongst them the executioner's own mother, were put to death by sword, fire, gallows and quartering. The actual execution was generally preceded by brutal maltreatment of the body. Calvin, however, was not moved to any sort of pity by these proceedings; with icy coldness, in a businesslike voice, he gave his German friend, the preacher Myconius, an account of the wholesale

executions. In his own person he gave information to the magistrates against so-called sorcerers, as heretics, 'in order that the race might be extinguished.'[1] When Servetus was standing at the stake the preacher Farel said to the assembled multitude: 'You see what power Satan has at his command, when a man once gives himself up to him. This man is known to many as a man of learning, and perhaps he thought he was acting rightly; now, however, he is possessed by the devil.'[2]

In Basle, in the years 1530, 1532, 1546 and 1550 there were some most extraordinary witch-trials. In the last of these years a woman was sentenced to be burnt because she confessed to having had 'a live female gnome,' and to have been with her husband in the Venusberg.[3]

A witch-trial in which several preachers played a part took place at Esslingen in 1562. When in the summer of this year the town and its neighbourhood were visited by a heavy hailstorm, the chief pastor Thomas Naogeorgus and his associates in office said from the pulpit that there were witches about, who were the cause of the disaster. Thereupon the burghers worked themselves up into such a state of excitement that the council was compelled to arrest three women who were suspected of witchery. To help in torturing them they called in the executioners of Stuttgart, Ehingen and Wiesensteig, because these men were renowned in

[1] See proofs in F. W. Kampschulte, *Johann Calvin*, i. (Leipzig, 1869), 424-428.

[2] Soldan, i. 433.

[3] Fuller details in Fr. Fischer, *Die Basler Hexenprozesse in dem 16ten u. 17ten Jahrhundert* (Basel, 1840). Fischer says: 'The maddest things were protocolled with the blindest credulity and with calm and objectivity as though they were everyday criminal occurrences.'

the art of bringing 'the devil's crew' to confession. A doctor was also summoned from Tübingen who had the reputation of accelerating witches' confessions by a certain potion. Nevertheless neither potion nor torture had any result. The victims persisted in the declaration of their innocence, and after four months' imprisonment were set free, to the great indignation of Naogeorgus, who, from the pulpit, stirred up the burghers against the council, and of the executioner from Wiesensteig, who complained that he had been hindered in his trade by a few gentlemen of the council, for there were more witches still in Esslingen. Afterwards nine others were arrested and tortured. Against one of them, among other things, the heavy charge was brought that 'after her first trial a light had been seen waving up and down in the hospital till late into the night, that a cat had raised a tremendous screaming, and that in a neighbouring stall two cows had torn the halter in two.'[1] Count Ulrich von Helfenstein, as well as the preachers, had protested against the too great lenity of the council in letting off the first three accused witches. He himself and his brother Sebastian in 1563 had sixty-three witches tortured and burnt in their small territory, in conformity, as they said, 'with the existing law and with evangelical piety.'[2]

[1] Pfaff, *Gesch. von Esslingen*, 569–572, and Pfaff's article on the Esslingen Hexenprozesse in Müller's and Falke's *Zeitschr. für deutsche Kulturgesch.* (Jahrg. 1856), pp. 252–271, 283 ff.; see Diefenbach, 90-93. As early as 1551 a witch had been burnt at Esslingen; her daughter by order of the Council was 'burnt through the cheeks and immured.' *Archiv für Unterfranken*, xvii. 215–216.

[2] *Wahrhaftige und erschreckliche Thatten und Handlungen der 63 Hexen, so zu Wiesensteig mit dem Brand gerichtet worden.* 1563. ** Cp. Riezler, p. 143, who says emphatically that it is a question here of Protestant witch-persecution.

In Transylvania, where formerly there had been neither witch-persecutions nor executions, the judicial procedure against witches emanated from the Protestant clergy of Saxony. In numbers of special synods it had been settled there since 1577 that 'the sorcery of old wives, and all other devil's work shall be punished by the magistrates with fire according to the command of God and to imperial law, or else checked by the authorities through severe edicts.' Under the head of sorcery the Synods included the blessing of oil, water, palm-branches and field-fruits. From several synodal resolutions it is seen that the secular courts were more lax in dealing with sorcery than the ecclesiastical ones wished.[1]

[1] Müller, *Beiträge*, 18–24. 'Thus we see that it was not witch-trials *per se*, but witch-trials in particular lands, that were a result of the Reformation, and to these lands belongs Transylvania.' In Denmark also there were numbers of cases of witch-burnings after the introduction of the new evangel, and none before. See Pontoppidan, iii. 302, 410, 436, 491, 609, 728, 807. The abundant crop of witch-trials which sprang up in Denmark is easily understood when we read in the *Visitatz Bog* of Bishop Petrus Palladius, who, by order of King Christian II., exercised a sort of supervision over the whole Danish Church, full details of the way in which witches were tracked and hunted out. 'You must not dare to keep silence,' Palladius urged on the people in 1540, 'whenever you know of any witch. These creatures must receive their merited reward. *In these days enlightened by the pure evangel they cannot any longer hold on; they will now be disgraced before the world, and that is their merited reward.* Only recently a pack of such witches was burnt in Malmö, Kjöge and elsewhere, and now we hear that another pack has been arrested at Malmö and is going to be burnt. In Jutland and the little provinces they are hunted down like wolves: lately on Alsen and in the neighbouring districts fifty-two witches have been seized and burnt.' Palladius himself on his inspectional journeys through Seeland tracked out witches everywhere. But in his eyes, also, all persons came under the head of witches who made use of Catholic benedictions and prayers; just as in Germany and in Transylvania holy water, holy candles, the chrism, papal oil and papal anointing were reckoned among means of sorcery. Whoever had anything to do with benedictions was, by the wish of Palladius, to be pointed out by the people to the authorities: 'Take care what you are

To Bohemia also witch-persecution was transported from Germany. The first authentic witch-trial there occurred in 1540; the earliest penal decrees on witchcraft and sorcery are found in the Koldin town regulations, which obtained legal sanction in 1579. The Komotau municipal books abound especially in reports of witch-persecutions, and numerous cases of witch-burning are recorded in them. At Solnic, the president of a butchers' guild once accused the cateress of a neighbouring castle of stealing, with the help of the devil, the milk of the cows in a circuit of several leagues and making people sick and infirm. When the accused appeared one day in the territory belonging to the town she was attacked by several men; a tumult arose among the people and hundreds of them screamed out: 'We have caught the devil's cousin at last,

about, if you do not wish to be burnt. To any of you who have hitherto meddled with such iniquity, I now give the good advice to have done with it. Otherwise people from the law courts'—he had suggested this artifice in order to get witches by cunning into the hands of the authorities—'may come to you dressed up as peasants and with a leg bandaged up, and ask to be healed by your benedictions, simply and solely to entrap you in the very act, and then have you burnt in your skin and hair: and which would serve you quite right.' Palladius was having a hit especially at the Catholic midwives. These were naturally in league with the devil, simply witches. 'If a midwife occupies herself with benisons, charms, and other arts of witchcraft and magic she must be informed against—or else the concealer is as bad as the stealer—to the authorities, so that a hundred faggots of wood may be applied to her, and she may be burned alive, as she deserves.' From the 'Visitatz Bog,' &c., in the *Histor.-polit.* Bl. lxxxi. 435-437; Diefenbach, 299. May not this also be the explanation of the reported spread of witch-trials after the introduction of the new doctrines in the German dominions with similar proceedings against numbers of women, especially midwives, who still clung to the old Catholic benisons, prayers and so forth, and often undoubtedly committed all sorts of abuses with them? In the next section we shall hear how not only Protestant theologians, but other scholars also expressed themselves concerning 'sorcery' in Catholic worship.

who has been emptying our milch-cows and tormenting our children with epidemics. Burn her! Burn her!' The cateress, brought up for trial, said she had been quietly pursuing her way when she was dragged into the town; she was no sorceress, she declared, but an orthodox Christian who, like every burgher-woman of Solnic, received Holy Communion in both kinds. But the master-butcher brought an important witness against her, a man who had formerly served in the castle and who now swore 'by his soul' that she was a witch: 'For I saw in the castle a black tom-cat which was not much smaller than a year-old calf. The animal appeared twice a week in the servants' room, and something had always to be kept back for him to eat. Once when there were dumplings for supper, three of them were put aside for him; and because the maid-servant took one of them the cat made a rumpus about it the whole night through, and kept on running backwards and forwards on the leads, crying out repeatedly: "One dumpling, two dumplings, the third the maid has eaten." In revenge he flew at the maid and scratched so roughly at her hair that night that it was a long time before she could make it tidy again.' This same witness had also seen the cateress in the stable milking her apron, the sweetest milk flowing from its point, also how on a certain witches' Sabbath she flew on a rake up and out of the chimney. This was all so true that he was ready to die for it. During the proceedings the crowd outside the court of justice cried out: 'Burn her, burn her, to the stake with her!' The court, however, decided not to convict the accused.[1]

[1] Fuller details about Bohemian witch-trials are given in Svatek, 3–40. At Trautenau on one occasion the corpse of a 'sorcerer' who had already

In the year 1588 the Utraquist parish priest, Johann Stelcar Zeletawsky, said in his 'Geistliches Buch' that witches and sorcerers were not able to call down hail and thunder-storms by their own power; hence the belief in their power was unreasonable, and the persecution of people suspected of witchcraft, inhuman.[1]

lain twenty weeks in the grave, but 'who had appeared to numbers of people in his former shape, had clasped them in his arms and crushed them to death,' was dug up and brought to the place of judgment. When the executioner, in the presence of a crowd of people, 'struck off the corpse's head, tore the heart from the body and cut it up, the fresh blood flowed out just as if it had been a live body. The corpse was committed to the flames.' Wolfius, *Lectiones memorab.* ii. 848. ** The acts of a witch-trial conducted at Braunau in Bohemia in 1617 are published in the *Mitteilungen des Vereins für Geschichte der Deutschen in Böhmen,* xxxiii. (Jahrg. 1895), pp. 285–291. The sentence is lacking; the accused appears not to have been executed.

[1] I only know the book from the quotation of Svatek, p. 8. The author makes a mistake in assuming that in the stand against witch-persecution priority is due to the Bohemian writers over the German ones.

CHAPTER VI

JOHANN WEYER'S STAND AGAINST WITCH-PERSECUTION

THE first person who had the courage to stand up openly and resolutely against the use of the rack for extorting 'confessions' was Johann Weyer, house physician to Duke William III. of Cleves. In 1563 he published a Latin work which, as had been predicted by the Benedictine Anton Hovaeus, abbot at Echternach, 'brought his name before the world with undying renown.'[1] Prior to its publication Weyer had submitted his work to the Emperor Ferdinand in order to obtain the copyright of it, and in a petition he also begged for the Emperor's personal help. Ferdinand granted him both these favours in a eulogistic letter of November 4, 1562, 'because it was his duty not only to encourage and praise such a glorious undertaking, but also to further its success with the full weight of his imperial authority.'[2]

In the dedication of his work to his sovereign, Duke William, Weyer says: All the manifold religions by which Christendom has been torn have not produced

[1] *De praestigiis daemonum et incantationibus ac veneficiis*, Basileae, 1563. I make use of the 6th edition, which appeared at Basle in 1583, and which is printed verbatim in Weyer's *Opera omnia* (Amstelodami, 1660), pp. 1–572. See Hovaeus's letter, *ibid.* pp. 638–640; cf. Binz, *Joh. Weyer*, 66; ** 2nd ed. 72.

[2] Hauber, *Bibl. magica*, ii. 46. Eschbach, 100, n. 105. ** Binz, *Joh. Weyer*, 2nd ed. 31.

such great evil as has resulted from the generally prevalent opinion that old women who have become childish, and who are called witches or bad fairies, can work injury to human beings and animals without administering poison. 'Daily experience teaches what damnable apostasy from God, what indissoluble connexion with the devil, what hatred of one's neighbour, how much quarrelling and strife in town and country, how many murders through the devil's help, are bred and fostered by this belief in the might of witches.' 'The populace, badly instructed in the Christian religion, attributes almost all illnesses to witches.' 'For a time the hope was cherished that by means of sound instruction in the Word of God this abomination might be wholly eradicated, but, on the contrary, amid the vehement religious dissensions now raging, it increases more and more.' 'Nearly all theologians keep silence concerning such godless doings, the physicians tolerate the false opinions as to the origin of diseases and the healing of them by superstitious means, the jurists are entangled in old prejudices; I do not hear of anyone who, out of pity for mankind, dares to open a way out of this labyrinth, or at least to lay a healing hand on this deadly sore.' He himself, therefore, would venture to devote his small strength to a matter which was a disgrace to the Christian religion.

In eloquent language Weyer praised his prince, who had taken up a just and circumspect attitude in the witch business, and he appealed to the emperor and all princes, secular and spiritual, not to let themselves be led astray by the witch-craze which had been rooted among them for so many years. 'Then would the eye of reason triumph over the fraudulent

deceptions of the demons: seldom then would innocent blood be shed, public peace would become more secure, the sting of conscience would torment less often, the dominion of the devil would collapse, and the kingdom of Christ would spread more and more widely.'[1]

In his teaching about the devil, his origin and his power, Weyer, who was a Protestant,[2] is of the same opinions as nearly all his contemporaries, to whatever creed they belonged. He believes also in bodily apparitions of the devil and in leagues between him and the wizards and necromancers, whom the judges ought to 'send up in smoke to heaven.' He also by no means disputes the effectual influence of the devil on the so-called witches. It is the devil who gives the witches certain salves by the use of which they are enabled to fly out through the chimney and travel through the air; in like manner he contrives through his arts that the witches shall become possessed of the belief that it is in their power to make weather, to call down hail and thunder-storms.[3] After the manner of the

[1] ** 'Aufruf an den Kaiser und die geistlichen und weltlichen Fürsten,' first appended to the 3rd edition (1566, Binz, 2nd. ed. p. 30).

[2] ** See below, p. 320.

[3] How Weyer in dealing with this question made use of the pamphlet of Ulrich Molitoris (see above, p. 254 f.), the following passages show:

Molitoris (reprint in Horst, *Zauberbibliothek*, vi. 147–148):

'Cum diabolus ex motu elementorum, et planetarum cognoscat mutationem aëris et tempestates fieri debere, quas tamen ipse diabolus ut supra diximus, facilius et citius quam homo praescire poterit. Vel cum divina providentia aliqua plaga et peccatorum correctio super terram aliquam iusto dei iudicio

Weyer (Lib. 3, cap. 16. Opp. 210–211):

'Singulari insuper ratione in aëre concitando illuduntur hae aniculae a diabolo, qui simulatque ex elementorum motu et naturae cursu citius faciliusque quam homines mutationem aëris et tempestates fore praevidet: vel alicui infligendam ex abstrusa Dei voluntate plagam, cuius ipsum spectat

'Witches' Hammer,' which otherwise he combated, Weyer gives the reasons why the devil busied himself by preference with the female sex, and had less trouble

cadere debet, cuius quidem plage et correctionis ipse executor a divina providentia deputatur, ita ut huiusmodi plagam prenoscit futuram. Et extunc commovet mentes huiusmodi maleficarum mulierum aliquando eisdem persuadendo, aliquando ob invidiam quam tales scelerate mulieres adversus proximum gerunt in vindictam movendo easdem sollicitat; quasi ipsas mulieres doceat: huiusmodi tempestates et aëris turbationes provocare.[1] 'Diabolus instruit easdem, ut quandoque accipiant lapides silicis et versus occidentem post tergum proiiciant, aliquando ut arenam aque torrentis in aërem proiiciant, aliquando quod in aliquam ollam pilos porcorum bulliant, aliquando quod trabes vel ligna in ripas transversaliter collocent: et sic de aliis fatuitatibus. Et tamen talibus faciendis communiter diabolus praefigit eis diem et horam. Verumtamen fatue huiusmodi mulieres diaboli doctrine credentes talia et his similia faciunt. Itaque postquam ipse talia fecerunt, at succedentibus tempestatibus, grandinibus et aliis incommoditatibus, quas diabolus in tali tempore novit profuturas, extunc credunt ille scelerate fatue mulieres eventus huiusmodi ex facto earum processisse, cum tamen talia earum facta non possint unicam guttam aque provocare.[2]

exequutio, intelligit: tunc harum muliercularum mentes agitat variisque imbuit imaginibus et suggestione multiplici, quasi ob invidiam in proximum, vel ob vindictam adversus inimicum sint aërem turbaturae, tempestates excitaturae et provocaturae grandines. Itaque eas instruit, ut quandoque silices post tergum occidentem versus proiiciant: aliquando, ut arenam aquae torrentis in aërem coniiciant: plerunque scopam in aqua intingant, coelumque versus spargant: vel fossula facta et lotio infuso vel aqua digitum moveant: subinde in olla porcorum pilos bulliant, nonnunquam trabes vel ligna in ripa transverse collocent et alia id genus deliramenta efficiant; atque ut arctius eas Satan illaqueet, diem et horam sibi dictis rationibus notas praefigit. Quum vero successum hae vident, nimirum quascunque desideratas in aëre turbationes, magis confirmantur: quasi eventus hic subsequatur ipsarum operationem, qua ne aquae quidem stillam elicere possent.[2]

I have chosen these particular passages for comparison, because 'the diabolical delusions connected with weather-making' are described in the

with them than with men; women were by nature lewd, credulous, mischievous, wanting in self-control. He appeals in confirmation to the example of Eve, to St. Peter, who calls woman 'a weak vessel,' to utterances of the Fathers, to Greek and Roman authors, and actually to that saying of Plato, who 'somewhat impolitely' was in doubt as to whether women should be counted among reasonable or unreasonable creatures.[1]

But precisely because the female sex yielded so easily to the seductive arts of the devil, because especially the less intelligent, enfeebled by illness or age, distressed in mind by poverty and suffering, and half childish old women, could scarcely resist him, people must have pity on them and not persecute and burn them so mercilessly, but endeavour to rid them of their delusion by Christian instruction.

'A witch I call a woman who, because she has been deluded into the belief that she is in league with the devil, thinks she can effect all sorts of evil by her thoughts or her maledictions, by a glance, or by other laughable means quite inadequate to the attainment of the end in view; for instance: disturbing the air with unusual thunder, lightning or hail, raising storms, destroying the fruits of the fields or carrying them to other places, fastening unnatural diseases on men and animals and then curing them, travelling through vast spaces in a few hours, performing dances with evil spirits, holding festive banquets with them, mixing

same way as here by nearly all the later writers of the sixteenth and seventeenth centuries who occupied themselves with witchcraft, but who refused to believe that the witches themselves could alter the weather, or to credit the witches with this power.

[1] Lib. 3, cap. vi. Opp. 178–179.

carnally with them, changing herself and others into animals, and a thousand other strange follies.'[1]

All these things, however, were only delusions of the devil; actual leagues and carnal intercourse between Satan and the witches were not possible, any more than were the witch-journeys, and the transformation of human beings into animals and monsters which the 'witches' confessed to: they were simply deluded by the devil into thinking and believing that they had done impossible things.

With deep indignation he inveighs against those of the clergy who, ignorant, shameless and godless, from cupidity or false ambition, meddled with the healing of diseases, sought to establish that these did not proceed from natural causes, and brought innocent women into prison under the charge of being witches. With equal vehemence he denounced the ignorant doctors and surgeons, who in like manner gave out that diseases which could not be healed were the work of witches.[2]

Almost all evils were set down to witchcraft. From Protestant South Germany Weyer gave the following example to prove this. 'When in recent years a thunderstorm destroyed vines and crops far and wide, the authorities, in those parts of the empire where, as is believed, the voice of the Evangel sounds more clearly,[3] did not recognise in it the hand of God proving and punishing, but they put it down to a number of crazy, senseless women, threw these women into filthy prisons, regular hostels of the devil, and after coercing them by frightful tortures to the confession that they had

[1] Lib. 3, cap. 1. Opp. 161–162.

[2] Opp. 149 sq.

[3] 'Ubi clarius sonare vox Evangelii creditur.'

raised the storm [1] and caused the damage, sacrificed them solemnly to Vulcan.' 'Now it would well have become the ministers of the divine word who believed that they were walking in the light of truth, and of whom it was supposed that they were untiringly given up to the study of a "purer theology," it would well have become them to have taught the authorities and the ignorant common people something better.' [2] The mere confession of weak-minded women, extorted on the rack, was verily by no means sufficient ground for a sentence. 'When recently the fishermen of Rotterdam and Schiedam went out herring catching, and the first lot came back with a rich haul, while the nets of the last-comers were full of stones, these men at once put the blame of their ill-luck on a woman who was found on board the ship. The woman at once "owned" that she had flown out through the tiniest little port-hole of the ship and dived down into the sea in the shell of a mussel fish, that by her magic arts she had driven away the herrings and thrown stones into the net in their place. On the strength of this confession the woman was burnt as a witch.' [3]

In several sections he shows up exhaustively the absurdity of witch-confessions to having injured other people by exorcisms and magic spells, changed themselves into werewolves, &c., and cites various cases from Westphalia and the Rhineland of innocent persons being punished with death by fire. Not always, however, he said, did God leave such injustice unpunished.

[1] Opp. 213, §§ 9 and 10; 218, § 23. This 'tempestas calamitosa' chiefly attacked 'Germaniae superioris provincias,' 219, § 27.

[2] 'Propter peculiare et indefessum Theologiae purioris studium, cui se hi mancipasse creduntur.'

[3] Lib. 6, cap. 11, § 10. Opp. 490–491.

When once in Düren a hail-storm had destroyed all the gardens, and the garden of one old woman had escaped harm, this woman was thrown into prison and tortured on the charge of having been the originator of the storm. While, with heavy weights on her feet, she hung on the rack declaring her innocence, the judges and executioners betook themselves to the public-house; on their return they found the unfortunate victim dead, and they set it about that she had taken her own life. Soon after, however, the judge was seized with a raving madness. As a punishment of God for the idiotic credulity of the people Weyer related that, 'Of the prying, inquisitive people who in 1574 flocked to an execution of several witches near Linz, forty were drowned on their return in crossing the Rhine.' [1]

As regards the judicial procedure at witch-trials, the imperial penal statute book of Charles V. was no longer in the least observed. This code prescribed that nobody should be thrown into prison and stretched on the rack on a mere charge of sorcery or of soothsaying, that the judge, if in such a case he proceeded to examination under torture 'should be bound to make compensation to the martyred person for costs, suffering, injuries and damage,' and that the false accuser should be punished. It decreed further that the rack was only to be used in case of injury veritably inflicted by sorcery. 'How entirely differently are these people proceeded with nowadays! Simply on a malicious charge, and an unreasonable suspicion of the stupid, vulgar populace, the judges cause poor old women, who are bedazed or possessed by the devil, to be thrown into prisons, those hateful robber dens, and forthwith stretched on the

[1] Lib. 6, cap. 12-15. Opp. 492-505.

rack and questioned by the executioners. Whether they will or not, whether guilty or innocent, they do not escape from the bloody mauling, until they have made a confession. Hence it comes about that they prefer to render up their souls to God in the flames, rather than any longer endure the torment inflicted by these ruthless tyrants. If, overpowered by the brutality of the torture, they die under its grip, or succumb to the long misery of imprisonment in the dark, then there is a loud outcry that they have done violence to their own lives (which indeed would not have been surprising) or that the devil had wrung their necks.'

'But,' he exclaimed to the harsh tyrants, the blood-thirsty, inhuman, pitiless judges, 'when once He shall appear from whom nothing is hid, who trieth the hearts and the reins, the Judge and the knower of the most secret truth, then shall your works be made manifest. I challenge you to appear before the most righteous judgment-seat at the last day! There sentence will be pronounced betwixt you and me. There buried and down-trodden truth will rise up again, will openly stare you in the face and cry out for vengeance on your murderous deeds. Then will your acquaintance with evangelical truth, of which some of you have bragged so finely, be made manifest, and you will richly experience how much the true word of God has meant for you: with the self-same measure that ye mete shall it be meted to you again.' [1]

Weyer devotes a special section to showing in detail that the so-called witches cannot be included among

[1] Lib. 6, cap. 4. Opp. 471–473. Cf. Binz, 54–55. ** 2nd. ed., 56 ff. Eschbach, 130–131.

the heretics, because, as he had already explained, they were merely poor, feeble-minded old women misled by the devil, whereas the name of heretic applied only to those people who, after every possible exhortation and instruction, persisted doggedly in their false opinions. 'It is not this or that particular error, but the stubbornness of the will that constitutes a heretic.'[1] But even heretics were not to be delivered up to the flames. In confirmation of this view he brings forward the evidence of Erasmus.[2]

[1] Lib. 6, cap. 8. Opp. 480, sq.

[2] ** Lib. 6, cap. 18. Binz (in the first edition), Eschbach, and also Janssen have overlooked the fact that the whole of chap. xviii. is nothing but an extract from Erasmus's pamphlet, *Apologia adversus articulos aliquot per monachos quosdam in Hispaniis exhibitos* (Basileae, 1529). Paulus, who draws attention to this in the *Katholik*, 1895, i. 281, says aptly: 'Herewith the only proof of Weyer's Catholic standpoint that could stand in test, falls of itself to the ground.' See also Binz in the *Allg. Ztg.* of February 11, 1895, with whom Riezler agrees (246 ff.) in the statement that Weyer was a Calvinist. The opinion of Diefenbach (pp. 144, 157) that Weyer was still a Catholic when he wrote his work *De praestigiis* is untenable; see Paulus in the *Katholik*, 1900, ii. 472. Concerning Weyer's Protestantism, which can be proved with certainty after his 65th year, Binz (2nd ed., 1896, p. 163 ff.) cites the following from the *Praestigia daemonum;* the eulogistic mention of Clarenbach, who was executed at Cologne in 1529; the warm praise bestowed on the Elector Frederick III. of the Palatinate in the 3rd ed. of 1566 and the following ones; the occasional quotations from Luther and Melanchthon, and the appeal to them (*Opera omnia* of 1660, pp. 53, 54, 240, 453, 535). 'Beyond this there is nothing in the *De Praestigiis* which stamps the author as a friend of the Reformation, and this, so it seems to me, designedly so. The book was intended for both parties. Where Weyer, however, knows his cause to be secure against attack his own innermost opinion breaks out. This was the case in the German translation of the *Praestigia daemonum* (1567), which he prepared for the magistrate of the reformed town of Bremen. In the first preface: . . . "And although the Roman Church in this matter, as in that of religion, adopted the abuse of the sword, it would nevertheless be fitting that the Church which insists everywhere on being considered 'reformed' should take the matter up with somewhat sharper insight and more thoughtful judgment. The game, however, goes

After having in the epilogue of his work, with a fearlessness which in that age of universal terror of witches is without equal, expressed his deepest contempt for all arts of witchcraft and sorcery, none of which could harm him—he only feared the real poison-mixers, and for these he held no brief—and after exhorting everyone 'to withstand all the snares of the devil by means of true faith and godly conduct,' he concludes

the other way. . . . And so we do no penance with the Ninevites; we do not acknowledge that illness and misfortune are due to our sins, for we are so very pious, so very evangelical, we are this, that and the other, in order that we may exonerate ourselves and make ourselves out clean and pure." Conclusion of the 2nd preface: "I entreat therefore that these holocausts of innocent people shall not be carried on so ruthlessly as I understand generally happens among the Reformed Churches. It is, however, Satan's method, when he finds a house cleansed and purged from his iniquity, to return into it with seven worse devils."' Further, in this German translation he speaks disparagingly of confession, of abstinence-days, of the sign of the cross and of holy water. Binz, p. 165: 'The end of the book runs as follows: "In conclusion, I am ready to have all that I have written submitted to the judgment of the universal Christian Church, and will gladly recall anything in which I am convinced of error." In the Latin text this passage is as follows: "Nihil autem hic ita assertum volo, quod aequiori iudicio catholicae Christi ecclesiae non omnino submittam. . . ." It is the same in all the six editions of the Latin text.' The word *romanae* is never introduced, while in the dedication to the magistracy of the town of Bremen, where the abuse of the sword by the Church is spoken of, it is not wanting. Nor is the word *Catholicae* translated by Weyer by 'Catholic,' but by universal (as is also done in the Augsburg Confession). At p. 166: The 'Liber apologeticus,' which is appended to the edition of the *Praestigia* of 1577, contains a letter from Weyer to Brenz of October 10, 1565, in which he delivers himself of the following eulogium: 'I have always esteemed and honoured you highly on account of the excellent doctrine and pious zeal under the guidance of which you have hitherto carried out the serious work of purging the Church of so much idolatry'; p. 166: The pamphlet *De lamiis* (1577) is dedicated to the Protestant Count Arnold von Bentheim-Tecklenburg, who in the preface is called: 'optime in puriori doctrina Christi et vera religione institutus'; p. 167 ff.: He praises in the same words the mother of this Count Arnold in the dedication of his *Arzneibuch* (1580, 1583, 1588). Contemporaries (Loos, Delrio) also regarded him as a Protestant.

with the words: 'But I would not be thought to assert anything here which I would not have altogether submitted to the unprejudiced judgment of the Catholic Church of Christ,[1] and I am ready to withdraw anything in which I may become convinced of error. But should anyone begin to oppose my book before any error has been proved in it by clear evidence, I shall consider it a grave offence, and with full right I freely and openly enter my protest against such a one.'[2]

Weyer's work caused a tremendous sensation. Within twenty years it was printed five times, each time being revised and enlarged; in 1565 there already appeared at Basle a German translation of it by John Fuglin, undertaken under the auspices of the superintendent of the town, Simon Sultzer; this translation went through another edition in the following year, and in 1586 was 'again revised, enlarged and improved,' and published afresh; in 1567 Weyer himself prepared a German translation of his work, and dedicated it to the burgomasters and the council of Bremen; three French translations were also brought out.[3] In the

[1] This passage also proves nothing as to the Catholic conviction of Weyer; for in all the theological testimonial letters drafted by Melanchthon we also find the recurring statement that the person examined acknowledged the doctrine of the Catholic Church. Even in the last years of his life Melanchthon continued to use this expression; see Pastor, *Die kirchlichen Reunionsbestrebungen während der Regierung Karls V.* (Freiburg, 1879), p. 13.

[2] Lib. vi., Opp. 569–572; cf. Binz, 61–63; ** 2nd ed. 63–65. Eschbach, 142–143.

[3] ** Paris, 1567–1569. *Sine loco*, 1579. For the different editions and translations cf. Grässe, *Bibl. magica*, 55; Binz, 25–26, 65–66, 165–166; Binz, *Augustin Lerchheimer*, xxviii. n. 1, and Binz, *Joh. Weyer*, 2nd ed. pp. 25, 30 ff., 65–68, 182–185. In 1577 Weyer published a new book about witches (*De Lamiis*), in which he briefly summed up the chief points of his great work. In the introduction he expressed his delight that since the

very first year after the appearance of this book Weyer received six letters of approval, one from an abbot, one from a preacher, one from a lawyer, and three from physicians.[1]

Amongst the latter was a near countryman of the author, John Ewich from the Cleves district, first of all medical practitioner at Duisburg, later town physician and professor at the Lyceum at Bremen. In a letter to Weyer of June 1, 1563, he expressed his full agreement with the latter's opinions, but it was not till 1584 that, on an appeal from Weyer, he openly espoused the cause of the witches in a Latin pamphlet (which appeared the next year in German), 'Von der Hexen, die man gemeinlich Zauberinnen nennt, Natur, Kunst, Macht und Taten.'[2] The pamphlet contains a prologue in verse by Werner Ewich:

> Of the witches' nature and their might
> And what punishment is right
> For them, I've written all compact
> In the pages of this little tract,

appearance of his work, in most places, the so-called witches had not only been treated more mildly, but also had not been punished by death, and that he had received letters of sympathy and agreement with his utterances from the most able scholars of every class and creed. On the other hand, in his dedication of this smaller work to Count Arnold von Bentheim-Tecklenburg-Steinfurt, he said that he had been moved to publish it because he found that in spite of his greater work very cruel treatment of the witches, who did no one any harm, still went on. *Opera omnia*, 671, 673, 729–730. Cf. Binz, 125–127; 2nd ed. pp. 68–70; Eschbach, 151–152. A German translation of this publication, prepared by Henry Peter Rebenstock, pastor at Eschersheim, appeared at Frankfort-on-the-Maine in 1586. The translator, like the author, followed the same praiseworthy aim of trying to induce the 'Magistratus politicus to be careful, to deal wisely and circumspectly with such people, and not to be overhasty in condemning them' (Bl. 3[b]).

[1] Binz, *Joh. Weyer*, 66–67; 2nd ed. p. 72. Eschbach, 144–147.

[2] See Binz, *Joh. Weyer*, 84–87 (** 2nd ed. 94–95). I make use of the German translation reprinted in the *Theatr. de veneficis*, 325–355.

And written, maybe, better far
Than in big books where long lines are.
To this book, then, let all those turn
Who in easy mode would learn,
All about the witches' trade—
Here they 'll find it well portrayed.
To learn the cause of a misdeed
Is good, but better still indeed,
To leave it far behind and shun,
And after righteousness quick run.

Johann Ewich was not an out-and-out opponent of the punishment of witches. 'Sometimes,' he said, 'serious punishment must be inflicted on witches, just as on wicked heretics.' This, however, must not be done in an arbitrary and undiscriminating manner, but 'according to the circumstances of the case, the age of the delinquent, length of time and other considerations.' 'Children, who do not understand what they are about, and very old people who are in their second childhood, on both of whom Satan is fond of practising his tricks, may justly, as in the case of other sins, be let off punishment, but as far as possible they should be guided to and taught better things.' Those also with whom there is hope of repentance must not be punished with the utmost rigour. The rack must only be applied when the principal offence has been confessed: 'For legal experts know well that in criminal matters the evidence is clearer than the sun at noonday, but, wrung out of the accused by torment and martyrdom it cannot be. Prisons were only intended as a precautionary means, not for punishment; but as a matter of fact they were so constructed and organised that they might well be called the devil's hostels, and many would rather die than remain long in such places.' In contradistinction to the Calvinist theologian Lambert

Danaeus, Ewich spoke in favour of allowing the accused the right of appeal from the lower to the higher courts, 'so that the former might learn something from the latter, or be corrected and improved by them in points which they had perhaps not thought of or had overlooked.' If they did not proceed with all possible care and circumspection in this witch business, there would ensue chaos and confusion among the ruling authorities, discontent and sedition among the common people. 'Examples are at hand in plenty, and cry out almost everywhere with a loud voice. A few years ago in the Commonwealth of Venice the punishment of witches was pushed to such extremes that, if the supreme authorities had not looked into the matter and modified things, almost all the women would have been rooted out of the land by fire. Not long before this time in the Brunswick district, they began this work with the common people and went on to the nobles, even to the highest of them, not without great scandal.' 'For Moloch takes special delight in such burnt-offerings, which are partly organised and conducted by him himself, but are partly also the result of the inexperience and indifference of other people, of unjust trials, of the action of the godless of whom the world is full.' 'It is certain that through the fault of the judges punishment not infrequently falls on the guiltless. Alas, what an unspeakable wrong is this, which not only makes out the poor, wretched victims to be scandalous and opprobrious, but also defames and calumniates the whole human race and all friendship! Would it not be better to let some escape if there was not sufficient evidence, rather than put the innocent to death? It is a shame and a disgrace to think for what flimsy

tatters of evidence, for what insane confessions, numbers of people are executed with cruel torture.'[1] With perfect truth Ewich connected the increase of 'devilish witchcraft, as of many other gross sins, closely and intimately with the evil lives and example of those spiritual and secular authorities who by gluttony and drunkenness, love of display and pride, by keeping large, useless, food-consuming staffs of servants, devoured whole towns and lands, who did not attempt to abolish scandals, who did not help their subjects in their distress, but abandoned, or themselves oppressed the needy—whose poverty, in the opinion of all intelligent people, was often the cause of witchcraft—who did not try to heal the breach in religious matters, but, on the contrary, widened it, thus causing grievous war, and leading land and people into irremediable suffering and loss, so that everything was going to ruin and all gates and doors were thrown open to Satan.'[2]

Incomparably more important than Ewich's work is a publication which, under the name of Lerchheimer von Steinfelden,[3] appeared first at Heidelberg in 1585, and in a third enlarged edition at Spires in 1597, under the title 'Christlich Bedenken und Erinnerung von Zauberei, woher, was und wie viel fältig sie sei, wem sie schaden könne oder nicht, wie diesem Laster zu wehren und die so damit behaftet, zu bekehren oder auch zu strafen sein.'[4] The author, who for reasons

[1] Pp. 325, 339, 346, 349–350. [2] Pp. 347–348.

[3] See our statements, vol. xii. 346 ff.

[4] I make use here of the reprint prepared by C. Binz from the edition of 1597: *Augustin Lerchheimer* (Professor H. Witekind at Heidelberg) *und seine Schrift wider den Hexenwahn*, &c., Strasburg, 1888. The phrase 'against the witch-folly' (wider den Hexenwahn) is unhappily chosen. Our contributions will show how greatly Witekind himself was still entangled in this 'folly'; it was only against the cruel system of

which are not known, concealed his own name under an assumed one, was the Calvinistically minded Hermann Wilcken, styled Witekind, professor of mathematics at Heidelberg. No more than Weyer and Ewich did he altogether deny the universally prevalent belief in witches and magic; indeed, though here and there his statements contradict each other, he went much further even than Weyer in his opinions about the devil and his magic arts. He not only believed in bodily apparitions of Satan, in the devils in crystals, rings, musk-balls, in formal compacts with the devil, but also 'that Satan in the assumed shape of a man could hold intercourse carnally with witches; he did not believe, however, that the devil could breed children from witches.' 'It is undoubted and undeniable,' he says further, 'that spirits, though they have no bodies themselves, can all the same carry the bodies of others and material things from one place to another; nevertheless it happens only rarely that the devil carries witches away to other places, although they are seen there and think they are there, for it is all only spectres and dreams.' What the witches think they do themselves is all done by the devil. 'It is very easy for the devil to send up some water from a tub into the air, and to make out of it a cloud which will come down in rain.' Concerning the weather-arts of the devil, and how he deceived the witches and made them think

witch-persecution that he entered the lists with such fervour and resoluteness. Binz has not brought this out properly either in his introduction to his first edition of the 'memorandum' or in the discussion of the publication in his *Johann Weyer*, p. 91 ff.; in the second edition also (pp. 100–108) the extracts given by Binz are quite one-sided, so that the reader does not learn from them at all how much Lerchheimer himself was under the spell of the 'witch-folly.'

they had produced bad weather, Witekind spoke exactly in the same strain as Ulrich Molitor and Weyer.[1] Concerning the milk-stealing of witches he says: 'A witch cannot take the milk from your cow, any more than any other person, unless she is there with her pail to milk it. If your milk disappears in any other way, be sure that the devil has weakened the cow so that she becomes dry, or stolen the milk himself and blamed the poor witches or anybody he likes. Then they draw milk from their distaffs or from a post just as it appears to them and other godless bystanders.'[2] With her bare hand or with bare words a witch cannot kill cattle or make them ill. 'But when the devil,' he adds, 'carries her bodily away in the shape of a cat or dog, a bear or a wolf, which, however, only seldom happens to women, oftener to men, then they steal and rob and injure human beings and cattle: it is in a way their own doing (the men's) and must be punished; and in so far as the devil helps them they are stronger than they would be otherwise, but Satan does not do all the work.'[3]

In all these views Witekind, as is clearly seen, is by no means on a higher plane than the great majority of his contemporaries. In his answer to the question why women are so much oftener duped by the devil than are men, he is completely in accord with the 'Witches' Hammer.' 'The reason is,' he writes, 'that women are much more gullible than men, more easily persuaded and more inquisitive. Besides this they are beyond measure more revengeful than men; therefore, when they cannot

[1] Ed. of Binz, 6–23, 45–49, 62, 68–69.

[2] P. 51; see what we have quoted above from Geiler von Kaisersberg on this subject, at p. 259.

[3] P. 93.

revenge themselves by their own unaided power, they attach themselves to the devil, who instructs and helps them, so that they can do it by means of sorcery or with poison; it is more often poor women than rich ones who act like this, and old ones than young ones. The devil also most frequently taught his arts to women because they were chatterers and could not keep anything they knew secret, but passed it on to others, and so his school increased and his followers multiplied.'[1]

As regards the punishment of witches Witekind did

[1] P. 13; cf. p. 44. In order to depreciate the merits of the Jesuit Paul Laymann in his dealing with witches (we shall speak about this later on), Binz says (*Joh. Weyer*, 114): 'He (Laymann) asked in all seriousness the question why more women than men allied themselves with the devil: "Because women, owing to want of power of judgment and of experience, believe him more readily and let themselves be deceived more easily . . . and similar absurdities."' Binz has here overlooked the fact that Weyer and Witekind, who are rightly praised by him, 'in all seriousness' uttered 'similar absurdities.' ** Binz in the second edition (p. 119 ff.) repeats, unaltered, the words we have quoted, and adds the remark (p. 120): 'In order to punish me for this passage and for my objective criticism of Laymann, J. Janssen (viii. 563 of the earlier edition) twits me with the fact that Weyer and Witekind had "in all seriousness uttered the same absurdities."' This is simply incorrect. Weyer (*Opp. omnia*, 178) only asks the question, why women are more easily blinded by the devil in this respect, that they *imagine* they have done all sorts of *monstrosa rerum ludibria* (*Opp. omnia*, 161), which they could not possibly have done, whereas with Laymann the question chiefly is "why women more readily unite themselves with the devil, learn from him his evil ways and give themselves up to his godless help and counsel." This nonsense and the two words used by Laymann, *libido* and *luxus* (lust and luxury), applied to the poor, wretched old women I explained then and explain still to-day as an absurdity. In Weyer there is nothing about it, and what Witekind says on the subject may be seen on p. 102, and especially p. 106.' I may point out that on p. 106 nothing can be found of 'what Witekind says on the subject.' At p. 102 ff. a passage is quoted from Witekind on the inability of witches to make weather; at p. 106 the passage against the reality of witch-dances (in Janssen, p. 567 ff. [in the earlier German edition]); all that appears in Janssen, p. 562 ff. (of the earlier edition) is passed over in complete silence by Binz. And, nevertheless, all this indignation against Janssen!

not agree with Weyer, but adopted the sterner standpoint that 'witches, even if they had not effected any real injury, were by no means innocent or undeserving of punishment'; on the contrary, on account of their apostasy from God and Christ and their alliance with the devil, 'they were so sinful and criminal that with all the pains and penalties that all the magistrates on earth could inflict on them they could not be punished enough.'[1] 'But alas,' he goes on, 'it is not only sorcerers and witches who are thus seceders from God and vassals and courtiers of the devil, but the whole world is full of such, and the greater number of them are found among us pretended Christians and evangelicals. In the burning of witches who had given themselves up to the devil, appeal was made to the law of Moses, but with others who were guilty of the same crime, nobody troubled about the Mosaic injunctions. The godless riff-raff, the soldiery, openly and shamelessly outraged and blasphemed God, yea, verily, boasted that if the devil would pay them they would serve him. Is it not a common thing with shopkeepers and merchants that for the sake of one batz or kreuzer they will deny God and sell themselves to the devil? "So true as God is," they say, "it cost me so much." Now it did not cost so much, therefore to them and for them there is no God. It is as good as to say, "If it cost me less, I am of the devil." They act like this so often that the "grocer's oath" has become a proverb; "An der Krämer Schweren soll sich niemand kehren." If anyone uttered a false oath before the magistrates and thus made God a liar and denied Him, he was not punished with death, as Moses decreed, saying: "The

[1] P. 93.

blasphemer of God shall be put to death." "Sorcerers" and "necromancers" of high repute are not only not punished but they are patronised, promoted, honoured; they hobnob with lords at court and at table, although they ought to be punished more severely than are the women, for the simple reason that they are men.'

If in order to defend their sternness and severity towards poor senseless women they appeal to Moses, why do they not pay attention to the other laws of Moses, for instance those respecting adulterers and adulteresses, respecting Sabbath-breakers, and so forth? 'Moses decreed that a thief should restore double, or even quadruple, what he had stolen. Our magistrates hang a thief on the gallows and take to themselves the stolen goods. Item, God commanded His people through Moses to observe that beautiful and useful institution, the jubilee year, by which immovable property had to be bought and sold under the condition that in the jubilee year, which was the fiftieth year, it should return to the owner or his heirs. This with us is a strange and unknown thing.'

'Now if our rulers and magistrates are so eager and conscientious in obeying the law of Moses in the matter of punishing witches by burning, they ought also to remember better, and to carry out faithfully in their territories and among their subjects what Moses further decreed and what was acted upon in the Jewish policy, for preventing and checking sorcery. If they see and do the one, let them also see and do the other which stands side by side with it. The Jewish land was everywhere at all times alive with the service of God, with instruction and sacrifice, with discipline and practice. The whole nation was obliged to appear

three times a year at Jerusalem, to hear and learn the law of God, and to receive from the High Priests and the Elders other rules and ordinances serviceable to godly living and good morals. Throughout the whole land, in every corner of it, there were synagogues or churches, and every individual was obliged to attend in his own every Sabbath Day to hear the Word of God, to pray, to give alms; they were obliged also to observe the new moons and many other ceremonies. And the synagogues were well officered by Levites, of whom there were many thousands in that small country.' 'When the people were thus constrained and kept up to the service of God it was not unjust that those who turned from God to the devil should be severely punished.'

'But what happens in such a case with us?'

With serious exhortation to the rulers and those in high authority Witekind proceeded to show that nothing was done to check sorcery, and that therefore it was no wonder that witches were multiplying. There was everywhere a want of Christian teaching and discipline. 'We find numbers of villages in which there is no parson; three or four villages have but one pastor amongst them all. In what sort of way one man could attend to so many cures can easily be imagined, even if he were clever and diligent, which few of them are.' Divine service was less and less attended, Sunday desecrated with impunity; the men 'take corn or wine into the towns on Sundays or sit drinking and gambling in the public-houses; the women wash, scrub, clean their houses, iron out their clothes.' The pastors 'do not notice all the vice that is to be seen among the people, and do not reprove them in their sermons. Hence it follows that the majority of the parishioners

know nothing at all about God, about His will, about fear of, obedience and prayer to Him. Only recently, in a little country town where I was staying, there was a burgher's wife sixty years old who was dying, and when an intelligent, God-fearing neighbour admonished her that she should put away all worldly thoughts and turn her mind to God and pray to Him, she answered that she did not know how to pray, and so she passed away like a heathen. It is no wonder that the devil settles himself down among such people to teach them superstition and sorcery. And then the authorities start up, and throw them into dungeons and then into the fire, and think they have thus fulfilled their office. It 's just as if a schoolmaster flogged his pupils when they did wrong, not having first taught them what was wrong.'

'Rulers and judges will no doubt say: "What you tell us of church teaching, discipline and compulsion that went on in Judaea, for the prevention of sorcery, is difficult and indeed scarcely possible to carry out in our districts and dominions." Answer: it is more difficult certainly than simply to order the executioner to carry off a pack of women and burn them.'

'There is still more to be said. Those who wish to be thought administrators of both tables of the Ten Commandments, often know as little of what is said in the one as in the other. They hear perhaps from their town-clerk that it stands written in the Bible: whoever blasphemes God's name like the witches, he shall die the death; this belongs to the first table. As if the first table had been sufficiently observed and respected when ignorant, superstitious, foolish people had been put to death, and as if it were not better carried out by

teaching these people and helping them to reform. What 's more, one often finds among these people in authority, men who do not believe that there is a God in heaven, or a life after this life; why, I heard a parson say that his bailie openly declared and boasted that he could not believe otherwise than that men died just like cattle, and he had never been any the worse for thinking this. How could such a man have regard to the honour of God in conducting a trial and passing sentence? He damns and burns the witches on account of his horse, or his cow, which have died, and because a hail-storm, which he thinks the witches made, has destroyed his corn. But people who have made God and His Word liars, who have openly denied our religion's first and last article, that on which they were baptised, that on the strength of which we are pre-eminently Christians, which is the reason of all our doing and suffering, namely an immortal life, these people, I say, are not only allowed to go unpunished, but they are actually set up over others; but the foolish deluded women must die for such an offence, even the new-born children with the mothers, which is gruesome even to hear about, to say nothing of seeing it.'[1]

Through these utterances Witekind had reached the firm position of a strong and manly champion of these 'miserable women,' a warm and eloquent denouncer of the tortures and death-sentences inflicted on them, and a fearless enemy of the advocates and defenders of such tortures and sentences, whom he very properly recommended as fit subjects for the pillory.[2]

[1] P. 93 ff.

[2] We shall return later on to this subject when dealing with Bodin, Remigius and Binsfeld.

The 'confession' of five sorceresses who were 'recently burned at N.' was his immediate incitement to the writing of his pamphlet. 'My heart ached for them,' he said, 'when I heard the accounts of those who had been present and had seen the horrible spectacle.' For these unhappy victims, indeed, his pamphlet came too late: it was 'rede after the deed.' 'These women are dead, as thousands have died before them, and thousands are still dying. Nevertheless by recalling and contemplating past things we may direct and improve future ones.'[1] He examines the different points in the 'confessions' extorted on the rack and shows what nonsense and falsehood it all is. Two of these witches, it is said amongst other things, 'went together to have a bath, and on the way they saw a witch-dance going on in a field. How came it that other people who were passing by or who were in the neighbourhood of the field did not also see it? It was an illusion and a phantasy, as when a sick person, lying delirious, thinks he sees a tall, black man by his bedside, and begs that he may be driven away, but others in the room see that there is no one standing there. Once I went towards evening to H. and walked across the bridge. There I saw a crowd of people staring at the mountain and making a great outcry. I asked what was the matter. "Look," said one of them, "how the witches are dancing up there." When I looked up I could see nothing more than that the wind was blowing in the trees and agitating them. This, for the people, was a witch-dance. Such is the power of superstition and imagination.'[2]

P. 139.

[2] The writer was a Calvinist, but no blind despiser of Catholic teachers. When he speaks of the 'supposed witch-dances and love-makings,' he tells his readers that they must above all remember that the evil spirit showed

'If certain good people who are so hard and cruel towards these poor, miserable women, knew or remembered what sort of opportunities most of them had had, in what ignorance, want of all necessaries, and wretchedness they lived, they would be more merciful towards them. The rich and the well-to-do know not and care not how things go with the poor; like that duchess at N. who, when she heard that many of her subjects were dying of hunger, said: "What senseless people they must be; I would rather eat wecke (a sort of bread) and Bohemian cheese than die of hunger." The fat sow does not know how the hungry one feels.'

'If anyone thinks that the witches hold revelries,

thereby that he highly esteemed dancing, and all the immorality, harlotry and adultery which dancing produced, that he took special delight in these things since he provided no other pleasure or amusement for his friends. 'This, in my opinion, is the reason that the preachers under the papacy were wont to frighten the people from dancing with these words: Whenever two people, a man and a woman, dance together, the devil, a third person, dances between them' (p. 150). In the third, and for the last time enlarged, Frankfort edition of 1627 the author refers (pp. 137–140) for the statement, 'Dancing in itself, and in the way in which it is now carried on, is bad,' to a 'little German Catholic book printed a hundred years ago at Heidelberg,' and to Geiler von Kaisersberg, and on this occasion also brings forward his own religious standpoint. 'And so their honours can see from this, if they did not know it before, that dancing was considered punishable and vicious among decent, respectable, right-minded Christians before Calvin, nay even before Luther was born. Whosoever reminds us of evil customs and habits and warns us against them let him be or be called what you will, him we should follow, in order to put down any evil, be it as common and of as long standing as it may. How insolent and perverted a judgment it shows in so many people nowadays to say: that teaching, that admonition is Calvinistic, therefore it is erroneous and to be rejected. Whether I agree in all points with Calvin or with Luther, need not be discussed here. This, however, I do say, that whatever I read in their books, or in the books of others, that strikes me as good and true, that I accept for instruction and improvement according to the dictum of the wise scholar: "Look only at that which is spoken, not at him who speaks it."'

eat and drink and carouse on their dancing-grounds, let him be answered in advance that they do not do so. And even if they did, and sat down to loaded tables, it would all the same be a delusion, and they would go away just as hungry as they came. If the judges had inspected the dancing-grounds of the witches the day after their supposed dances they would have found no footprints there nor a single blade of grass trodden down. It is truly marvellous that there are people found to believe all this; not to mention that even distinguished persons, judges and rulers hold it to be true and pass sentence accordingly.'

'As for their "confessions" about human beings and cattle bewitched by them into sickness or death, such cases ought to have been investigated to discover whether the injury had been caused by poison, by hacking, by stabbing or by knocking down; without some such action nothing could be done by the witches, and it must have been the devil or else some natural cause. For to mutter words or stretch the hand over an animal would not hurt it or kill it, unless poison was used also. And even if they use herbs, salves and powder, and pretend to work injury with these, the judges should inquire of the doctor and others skilled in physics, whether the things used have such power or not, and they should take their time and not hasten to have people killed.' 'I have lately had a powder in my keeping and in my hand (to my thinking it was soot from a chimney) which the devil had given to a sorcerer in an egg-shell, so that he might work evil with it, amongst others to his squire to make him ill, and he laid it on the bridge over which the squire passed. Had the powder had this power it would have made

others ill also who crossed this same bridge, and who, moreover, kept it in their houses, as did I and my family.'

'And even if such a woman did kill a horse, an ox, a sheep or a dog, is it not enough that she should pay compensation and be punished also for her offence, but not with death? A human being for an animal is an unequal bargain.' [1]

Above all Witekind insisted that no weight must be attached to the information given by witches concerning their associates in the devil's dances. 'In that which witches tell and inform about against each other, there is no thought as to what justice and law require in an accuser and a witness, namely that they should be known to be absolutely truthful persons. But the devil, at whose instigation and in whose name the sorceresses tell tales and give information about others is an open undoubted liar, and through all the world and in all times he has been denounced as a liar, yea and the father of lies, as the Son of God Himself said. Secondly, a witness must not be hostile towards those against whom he gives evidence. But the devil, who rules the mind and speech of these women, is not only hostile to this human being or the other, but is so incensed against the whole of humanity, that if he could "drown us in a spoon" as the saying is, and destroy us all in a moment, he would do so. Thirdly, a witness must be honourable and have a good name and repute. These women, however, are held to be disreputable. Fourthly, a witness must be in full possession of his reason, and must not be childish, foolish and superstitious. These women are so crazed

[1] Pp. 132–137.

and distracted in their minds that they do not know what they are saying either about themselves or others, as any intelligent person who listens to them can tell plainly from their talk and their gestures, and from the fact that they will often, without compulsion, of their own free will, tell and boast of the injury that they can do and have done by their acts. "Yes," says some one, "they are so full of the evil spirit, so fiercely hostile to God and His Word that they will even spit in the face of the minister of the Church while he is instructing them; should not such people be burnt?" Well then let other people possessed of the devil, who behave in the same way, also be burned. But the Lord Christ and His disciples succoured such as these, and with us now, all pious Christians should have pity on them, and pray to God for their deliverance and healing.'

Although everything in the 'confessions' was the outcome of superstition and craziness, yet 'no one had pity on these people, but one and all cried out, Away with the enemies of God and man, to the fire with them! Whether, however, the magistrates did right in following such a mad outcry and passing sentence accordingly, I leave it to you, dear readers, to decide from the above written statements and from your own careful consideration, and to answer before the judgment seat of God. I knew the wife of a prince, a kindly matron, who used to intreat of her husband (who was otherwise kind and merciful and finally abolished witch-burning throughout his land) to have pity on such women and to spare them. When the common people found this out they settled that she too must be a witch. Such an unreasoning beast is the stupid populace. Therefore, all rulers who let themselves

be guided by its judgment are unfit to wield authority.'[1]

Of the tribunal which burnt those five sorceresses 'it was universally said: as the witches would not confess their evil deed under torture, to the extent that the torturers required, a renowned magician was paid highly to come from several miles off to the rescue. He placed a herb in their laps and they at once confessed to all and more than they had been asked. What a gross and fearful sin it is before God that sorcery should be punished by sorcery, that the devil should be employed for the fulfilment of justice, and his servants and slaves rewarded with money. And it is an iniquitous and corrupt deed before the world that the women, the poor, feeble, little sorceresses, should have been thrown into the fire, and the man, the great, strong sorcerer, not only let go unpunished, but handsomely paid; the man in whom was a devil so much stronger and more masterful than in them, for their devils willingly surrendered and yielded obedience to him. The villain of a man ought to have been burnt first, for if the witches were burnt justly and right was done in their case, great wrong was done in the man's case, and the law of Moses, to which such high respect was paid in these trials, together with the imperial law, was quite overlooked.'[2]

'If anybody,' says Witekind in conclusion, 'thinks my sympathy with the witches "silly simplicity" I leave to him his superior wisdom. Let him see to it, however, that he be not too wise in the matter, as I am too foolish. Better it is to be, and rather would I be too merciful than too cruel, above all in this complicated,

[1] Pp. 137–138. [2] P. 139.

perplexing and incomprehensible question. Let him who can hit on the happy mean which, in this as in all other things, is difficult to do.'

Like Weyer and Witekind ('Augustine Lerchheimer'), from whose works he constantly quotes, the Lutheran John George Gödelmann, Doctor of Law and Professor at the Rostock University, also advocated mild treatment of witches. In 1584 he gave public lectures at Rostock on the Carolina and published part of them in Latin;[1] these lectures probably appeared first in 1590,[2] and 'with the author's knowledge' were translated into German in 1592 by the Hessian Superintendent George Nigrinus under the title 'Von Zauberern, Hexen und Unholden wahrhaftiger und wohlgegründeter Bericht.'[3]

[1] *Tractatus de magis, veneficis et lamiis recte cognoscendis et puniendis.* See Binz, *Joh. Weyer*, 87–90 (** 2nd ed. pp. 96–98). I make use of the Nuremberg edition of 1676.

[2] ** Binz, *Joh. Weyer*, 2nd ed. p. 98.

[3] Frankfort-on-the-Maine, 1592. The translation is dedicated to the Frankfort Council. 'Some people,' says Nigrinus in the dedication, 'are so incensed against sorcerers that they would like to have them all rooted out: which would be as easy for them to do as it would be easy to destroy all the works of the devil, or indeed his kingdom.' 'For even if many thousands of his sorcerers were burnt out, he would soon have called up others in their place, and he does all he can to get the innocent mixed up with them, as may be seen in this book (Gödelmann's). Some people, on the other hand, are so slow-witted and behind the times, that they will not admit the existence of sorcery even when it is manifest, nor allow it to be judged and receive its due. But as the others did too much, so these do too little; for every ruler is bound in his own district to check all sins and vices and to punish them as they deserve: why then not also sorcery where it is openly seen and proved?' Did Nigrinus perhaps wish by these words to rouse to their duty the Frankfort Council which allowed no witches to be burnt? The translation was published by Nicholas Basse, the same bookseller who, as we shall show later on, as early as 1586 in the preface to the *Theatrum de veneficis*, complained seriously of those rulers who were negligent in the punishment of witches.

As a wholesale warning against 'the horror of the devil and the punishment of the godless,' Gödelmann, in the introduction to his book, relates as historical facts various wonderful tales of bodily apparitions of the devil: how once at Spandau the devil appeared in court to defend a mercenary soldier, and 'to everyone's terror and consternation' carried his accuser off through the window and across the market-place; how another time in Silesia a number of devils invaded the castle of a nobleman, remained there several days, looked out of the windows in the forms of bears, wolves, cats, and human beings; and so forth.[1] Gödelmann believed also in real magic arts, in supernatural diseases, in an actual league between sorcerers and the devil,[2] but not in a league between witches and the devil; the latter (witches) were only misled by all sorts of influences from the devil.[3]

The witches, he said, confess either things that are possible—as that they have killed men and cattle by their magic and sorcery, and if this is proved true they ought to be burned, according to the 109th article of the Carolina; or else they confess to the impossible—for instance, that they have flown up into the air through a narrow chimney, have changed themselves into animals, have sexually conversed with the devil, and in such cases they ought not to be punished, but on the contrary be better instructed in the Word of God; or, finally, they confess to a league with the devil, and in this case they must be punished with an exceptionally severe penalty, such as flogging, banishment, or, if they are penitent, a money fine. These punishments

[1] *Tractatus*, lib. i. 4–10.
[2] See especially lib. i. 18 sq.
[3] Lib. ii. 8 sq.

are inflicted for their light-mindedness in not making a firm stand against the devil's suggestions, but rather giving way to them. What Gödelmann thought about the 'arts' of the witches and their punishment is most clearly seen from a memorandum which, at the request of a 'distinguished and learned gentleman in Westphalia' (from a town not mentioned) he drew up on March 8, 1587, and incorporated, in German, in his work. He quotes therein the decrees of the criminal ordinance of Charles V. and other legal utterances, from which, he says, 'it may be seen how illegal, criminal and tyrannical is the procedure of those judges who oftentimes, solely on the false superstition or calumny of a malicious beggar or some other wanton fellow, and on the strength of ancient evil usage, throw innocent women or other persons into scandalous, gruesome dungeons, which verily cannot be called human prisons, but rather devil's torture holes. There the poor wretched women are left lying in the dark, for the angel of darkness is stronger there than elsewhere and makes them more submissive, more his own, than they were before, &c., &c. After the devil, comes the executioner with his brutal instruments of torture. What woman is there who at the sight of such things would not be so terrified that she would not only confess what she really knew or thought she had done, but anything else also that it had never entered her head to do? On these extorted, false, worthless statements they are then sentenced and executed, and they would rather die than agonise any longer in such imprisonment.' 'It is a dangerous and doubtful thing, this trial under torture; since some of the victims are of so hard and cunning a nature that they despise all

torment, and will in no way tell the truth, even though they should be torn to pieces, while others are by nature so weak, tender and foolish, especially the women whom Scripture calls weak instruments, that they are driven by their great agony of heart and martyrdom to tell lies about themselves and others and to make false confessions of deeds which all the days of their lives they would never even have thought of, much less have perpetrated.' 'As regards the riding and journeying of witches on goats, brooms, forks, sticks to the Blocksberg or the Heuberg for dancing and revelry, and of the carnal *liaisons* which the evil spirits enter into with such women, I think in my simplicity that it is all devil's trickery and delusion.' 'It is also mere illusion that witches and sorcerers can change into cats, dogs, and wolves.' 'Finally, it is also said of the witches that they can make bad weather and storms, although weather-making is God's work, not that of man, however clever and mighty he may be, and still less could a helpless, crazy old woman have such power. Therefore no judge has the right to torture for such things, still less to put to death, for such a proceeding is not even hinted at in any clause in the criminal ordinance. And it is piteous that in Germany every year we hear of so many hundreds of poor, silly women, who often haven't a morsel at home to bite or to break, and who are in great sorrow and tribulation, and who are ensnared by the devil's fluent rhetoric into being burnt to death for such idiotic and phantasmal confessions.' 'Such demented people ought rather to be taken to a doctor than to the stake.' [1]

Prior to Gödelmann other lawyers had urged on the

[1] Lib. iii. 5-39.

rulers and judges to exercise circumspection in the treatment of witches. Thus, for instance, 'several Consilia and memoranda' (belonging to the years 1564, 1565, 1567) contain 'remarks by learned jurists of our own time about witches and evil spirits,' and many calm and moderate utterances in favour of the witches who are taken prisoners and their treatment.[1] Doctor Caspar Agricola, professor of Canon Law at Heidelberg, 'confesses,' wrote Hermann Witekind, 'that he does not yet know what are the deeds and performances of the women who are called witches and burnt, and so he cannot give any verdict about them, or pronounce judgment on such cases in court. For if it be said that their evil deeds are known from their own confessions, he answers: these are erroneous, the outcome of craziness, they have no substance, they must not be acted on, for they affirm impossibilities.'[2]

The faculty of law at Heidelberg made the following statement: 'The old women of whom in these days it is said that they ride in the air and hold dances at night, should be taken to the pastors of souls rather than to torture and to death.'[3]

[1] Contributed to the *Theatrum de veneficis*, 366–392.

[2] Binz, *A. Lerchheimer*, 112.

[3] Binz, 116–117. ** Riezler (p. 233 ff.) speaks of a treatise written in 1549 at Freiburg-i.-Br. by Johann Zink, 'De potestate daemonum maleficarum et sagarum,' which his pupil John Waltenberger copied later on and dedicated to the Cardinal Bishop Otto of Augsburg (Cod. lat. Monac. 3757). Zink dismisses as dreams the changing of the witches into animals and other shapes in order to devour children. . . . The rides through the air, Zink also said, happened only in dreams. People who believed in bodily journeys he considered stupid. Concerning the punishment of witches he remarks: 'Numbers of sensible men are impelled by pious zeal to desire witches to be burnt. But there are as large a number who out of pity take the witches under their protection, because these women have been baptised and are members of Christ, and because it is not true that

'You are acting against the imperial ordinance,' exclaims the Westphalian lawyer John Scultetus in 1598 to the judges in a pamphlet on sorcery and sorcerers; 'the rack should only be furnished with cords, without other appliances; you use all sorts of iron and steel screws with which you torture fingers, arms, and shin-bones; you fasten iron hoops or bands round your victims' heads, you tear and break their bodies in pieces, you cut their sinews, you hold their mouths open and pour water and oil down their throats; you burn them with pitch, with candles, with red-hot iron, in short, you do anything that the brutal executioner suggests. This is contrary to all secular law and imperial ordinance. You are liable to punishment from the emperor.' [1]

Much greater consideration than it has hitherto met with is deserved by the 'Gründlicher Bericht von Zauberey und Zauberern,' which was published in 1602 by the Westphalian Anton Praetorius, a Lutheran. This pamphlet is among the few publications on the subject of witchcraft which do honour to the seventeenth century. 'Certainly,' Praetorius says, 'genuine sorcerers and witches can injure men and cattle and work evil with poison, but in the present day anything and everything that is repugnant to people is set down by them to witchcraft.' 'It has actually come to this, that directly one's eyes grow dim, one's stomach aches,

they can injure other people. Zink decides in favour of the sterner view; for the sole reason that witches are in league with the devil, justifies their being burnt, and if they were so easily let off every corner of the world would soon be filled with them.'

[1] *Gründlicher Bericht von Zauberey und Zauberern etc. durch J. Scultetum Westphalo-Camensem* (Lich, 1598), pp. 260–264. The cruelty of imprisonment is depicted by the author at pp. 249–252.

one's fingers are stiff, one's heart is heavy, one's soul escapes, or the cattle wither, sicken, become lame, drop down and die, everybody cries out, "There's something wrong here." First this person is suspected, then the other, talk goes on in undertones, then comes a hue and cry: He or she has done it. And so sorrow is salted with sorrow, and misery piled up on misery, and so forth.'[1]

From what he has himself seen, Praetorius gives a heartrending description of the prisons into which the witches were thrown, as also of prisoners in general and of the tortures of the rack.[2]

'Who,' he asks, 'can describe all the horror of such prisons? I was always incensed when I saw them, my hair stands on end when I write about them; my heart seems nigh to bursting when I reflect that one human being, for the sake of a few sins (for are we not all unrighteous?), can torment another so brutally.' 'O you judges, do you not think that you are guilty of the terrible deaths of your prisoners? I say: Yes.' According to imperial law, 'the prisons ought to be so constructed as to afford shelter and protection, and not to be a torment to the poor inmates. He who can preserve and protect a human being and does not do so is a murderer. . . . Woe unto those through whom offences come! but how much more woe to that man who not only causes offence, but leads another straight on the road to desperation and into the chamber of death! Isaiah says: "God looked that he should do judgment, and behold iniquity; and do justice, and behold a cry." Bethink you, you judges, "God marks and hears and writes it in his tables."'

[1] Praetorius, 51 ff.

[2] See above, p. 202 f.

To all the horrors of imprisonment is then added the barbarous torturing. 'I have something more to say to you judges. Take it in good part from me, for I mean it well. You are much too brutal, unjust, superstitious, scandalous and tyrannical in your trials by torture. I am not well pleased to see that the rack is being used, for pious kings and judges among the first people of God did not use it, because it was introduced by heathen tyrants, because it is the mother of many and great lies, because it often does great bodily injury to men and women, and finally because on account of it many people succumb to death without fair trial and sentence, yea even before they have been found guilty: tortured to-day, dead to-morrow. You think, no doubt, you are doing right when you act thus cruelly, and you drag in secular law and imperial ordinances and old custom to justify you.' But human laws must give way to the ordinances of God, which teach that we may question, examine, take oaths from accused persons, but not torture them.

'And what sanction do you gentlemen get from imperial ordinances? They are dead against you. I admire them, but you do not abide by them. With your lips you praise them, with your deeds you disgrace them. Charlemagne, the first German Emperor, decreed that people who practised sorcery were to be shut up, and that the Bishop was to interrogate and examine them carefully, until they confessed their sins and promised to reform. Their imprisonment also was to be of such a kind as to make them pious and of sound mind, not to drive them to death. Hear, O ye judges, what the imperial ordinance says. How does your procedure fit in with that? There is

not a word in it which you do not overstep. He says: "Shut them up," and so you chain and lock them in. He says: "by the Bishop or minister of the Church," and you take the executioner to them. He says: "they are to be persuaded to confess," and so you force and torture them. He says that they are "to be healed and live," so you maim and kill them. In like manner you defy the criminal ordinance of Charles V., and forget all justice and right of which other laws and learned lawyers, besides this same ordinance, earnestly remind you.'

'When the executioners advise you to try some fresh dodge, you should let them try it on themselves first, as Phalaris made Perillus the first victim of the brazen bull he had invented for torture. Thus they would learn what others have to suffer and would give up recommending such tyrannical deeds. You are too much led by them and are too cruel in everything. You do not even torment as kindly, as softly and as moderately, as the devil tormented Job, for Satan let him live: but with you some of the victims die under your hands, some of them you are obliged to carry from the rack to the place of execution, and you find them dead after a few hours. This is contrary to all secular law and to imperial orders. You are liable to punishment from the Emperor.'

'When such people die under your hands, when their evil deeds have neither been confessed nor proved, you are no better than wilful murderers, and you are not worthy of the name and office of judges. On you lies the guilt and the blame that poor orphans, whose parents you have thus slaughtered, are badly brought up, go astray and, to escape reproach, run away;

then from simplicity or poverty fall into bad company, or even come to an untimely end. According to imperial law the accusers of innocent persons are bound to make fair and adequate compensation for the suffering, disgrace and expenses they have caused them: but what must be your liabilities for the pitiful death of such people, who had not been proved guilty, and who had confessed nothing, and who therefore according to all laws were to be regarded as innocent? Verily their children and friends would be justified in going to law against you, and if from poverty or fear they should be hindered from doing so, God will surely in His own good time find you out, if you do not betimes earnestly repent and reform, to which course I faithfully admonish you.'

'But hear me still further, you gentlemen; I'll tell you what worse brutalities you are guilty of in your trials by torture.'

'When you have got hold of people who by no amount of martyrdom and torture can be brought to give information, for your satisfaction, either against themselves or others, you then forsake the ways of human might and coercion and address yourselves to devil's arts, to debauched and wholly bestial means, by which you rob the poor creatures of their reason, till in frenzy and madness they make the wildest statements. The executioners give them special drinks, or put on them medicated shifts and clothes: then they become quite frenzied and say "Yes" to everything that is suggested to them. Item, you singe and scorch with lighted candles their . . . do that which is forbidden in the law under pain of having the hands chopped off. . . . This is verily devilish and not human. Is it not

all true? You say: the executioner does it. I ask you then, is the executioner your master or your servant? May he do and leave undone just as he likes, without your consent? If, however, you consent, it is you who are acting through him, just as he does other things in your name. And tell me, pray, where have you learnt such things? Do you find them in the imperial judicial ordinance? Are they written also in other statutes of the Roman empire? By whom then? In what words? On what page, in what book? Oh, you cannot answer! You cannot show any proof, you have no ground to go on. Therefore I say with truth: you act brutally according to your own bloodthirsty lust and not according to law.' [1]

While, however, the witches, accused of every imaginable iniquity and crime, were so cruelly persecuted and killed, the magistrates allowed all sorts of fortune-tellers, 'blessers,' jugglers and planet-readers to pursue with impunity their wicked ways in the land. 'Like the gluttons and drunkards, whoremongers and cursers, so too they tolerate in their land open and avowed sorcerers. Open and avowed, I say, namely fortune-tellers, or rather vendors of lies, and who with their false tales set good friends against each other, and stir up secret suspicion, bring about open quarrels, irreconcilable hatred, envy, scolding, blows and murder. They put up with the scoundrelly jugglers, allow them to go openly into the common houses—even on Sundays which should be sanctified to the Lord, and even during the sermon time—and to carry on their cheating monkey-play with indecent jokes and scandalous

[1] Praetorius, 117–123; cf. 91 ff. See also above, p. 346, the quotations from J. Scultetus.

gestures, in order to keep the people, especially the dear young ones, who are frivolous enough as it is, from hallowing the Sabbath, and also to make money for themselves. Further, they tolerate men and women who go about with idolatrous, damnable benisons, pretending to heal people and cattle with them, and thereby taking the name of God in vain. Also they not only allow dream- and planet-books to be sold in open market, but they suffer idlers to go in and out of houses, explaining dreams and planets for the sake of money, and turning and leading away the poor ignorant people from the Eternal and Almighty God to powerless, perishable creatures. How much longer, dear gentlemen, do you mean to slumber and be silent? How long is the honour of God to be thus flouted among you? The witches are by no means so mischievous and hurtful as all these people, for they can only injure seldom and slightly, and they only injure the body, but those others work their evil continuously and in a wholesale manner, and moreover they strike at the soul.' [1]

That witchcraft and sorcery were continually increasing was not to be doubted. There was no cause for wonder at this, however, for vice of every kind was in full swing and the demoralisation of the people was universal. 'All things are allowed; blaspheming, cursing, swearing, lying and cheating are no sins; idlers and debauchers brag that the best drinker and dancer is the best man. The writings and the company of sorcerers afford the best entertainment, and the holier the season the more scandalous the deed. How then, amid such Egyptian blindness and Sodomitish living can the devil fail to build up, strengthen and enlarge

[1] Praetorius, 72-73.

his kingdom? Can you expect among such people anything but error, superstition and damnable sorcery?' The chief blame of all these evils lay with the rulers, who left the doors open to all sin and vice, and gave no heed to the instruction of the people, and to spiritual and secular law and order. 'If you will do nothing,' he said to the conscience of the rulers, 'will take no means to instruct and improve the guilty witches, and to save innocent people from being turned into witches, at any rate desist from your torturing and burning, remembering that you yourselves are guilty in your blindness and perversion.'[1]

Backed up chiefly by Praetorius, an anonymous writer, 'a merciful, Catholic Christian,' called 'the merciless witch-judges' sharply to account. 'Councillors, judges and sheriffs,' he said, 'lose their human hearts and reason in these witch-trials.' 'Might goes before right with you, therefore the proceedings are other than right. Under the semblance of right you use undissembled might and by abuse of your office you come under the head of tyrants.' Not by the rack and the stake, but only by the organisation of truly Christian rule could sorcery be rooted out of the land. 'Go to, are not those who exert themselves to get rid of perverted witches and sorcerers, themselves equally guilty? For, God wot, is it not all too true that in many places the rulers themselves know less about God's word and will, and follow them less, than the common populace?' The people must be kept up to church-going, the children to attending school. Carousals and drinking-bouts must be forbidden under heavy penalties, books about magic must be destroyed, the fortune-telling gipsies

[1] Praetorius, 172–174.

turned out of the country. 'If the game was begun and carried on in this way, if country and people, men and women, masters and servants, young and old, were restrained from evil and habituated to good, if all opportunities and means of sorcery were removed, would not the witch business and other occult acts, as well as superstition, error, scandal and vice of all sorts be diminished by God's grace from day to day and at last be put down? So long, however, as these precautions are neglected, all hunting down, seizing, imprisoning, torturing, burning and otherwise killing is in vain, and there will be no end to the evils, no rest, peace or improvement.'[1]

A tract written by another anonymous Catholic in 1608, 'Was von greulichen Folterungen und Hexenbrennen zu halten?'[2] in pointing out the inadmissibility of torture, 'especially in the case of the occult and little understood question of witchcraft,' appeals chiefly to the renowned humanist Luis Vives (†1540), who was a thoroughly good Catholic and learned and experienced both in divine and human laws. In his commentary to the work of St. Augustine, 'De Civitate Dei,' Vives says (Book 19, chap. vi.): 'Even among the Barbarians it was thought cruel to torture people whose guilt had not been proved. Under the empty pretext that torture was indispensable in a trial the free bodies of Christians are tyrannically tortured.' 'The modes of torture in use among us Christians,' Vives writes, 'are more cruel than death.' Every day

[1] *Malleus iudicum, das ist: Gesetzhammer der unbarmhertzigen Hexenrichter*, &c. (without place or year), pp. 60 ff., 100–111. Also reprinted in Reiche, 1–48.

[2] Without place or year, four leaves. The date of this tract is determined by the fact that on p. 4 'the preceding year 1607' is spoken of.

we find numbers of people who would rather die than be martyred any longer; who 'confess' fictitious crimes which they have never committed to escape from the excruciating agony they are made to suffer. Vives also says: 'All the reasons adduced against torture are right and just; all, on the other hand, that is said in its defence is altogether null and void, without worth or weight.' So speaks the pious and learned Vives. 'Our judges, our masters of the art of martyring and burning, speak otherwise—God have mercy on them—as the countless miserable, foolish, often quite insane and crazy witches and bad fairies (as these devil-plagued women are called) experience in the brutal treatment and inhuman, fiendish rending asunder of limbs which they have to undergo. Oh, how one day, according to the righteous judgment of God those rulers, judges, witch-commissioners, &c., will be tortured and burnt, who now do nothing else but fleece and flay, drink and gorge, . . . who torture silly, superstitious women instead of teaching and healing them, &c., &c. Oh, the long suffering of God! Oh, the blindness and the fiendish brutality of man towards his fellow-creatures, towards his brothers and sisters in redemption through Christ's blood, Holy Baptism and the other Sacraments of the Church! In the preceding year 1607, in a town on the Neckar, where I myself happened to be at the time, several witches were burnt, on one day four, the next day three, who had confessed under torture that they had gone through locked doors by the key-hole, had blown on children in their cradles and so made them lame, had hidden themselves behind cobwebs so that nobody could see them, and suchlike rubbish. One of them said that on one occasion three of them had ridden

together on two devils into the cellar and in one night had drunk half a hogshead of wine, after which they had flown away in the shape of flies or gnats: they had also often danced in the air with devils, and one of them with Pilate. On the strength of these "confessions" the poor women, who had lost all their senses by the martyrdom inflicted on them, were burnt alive. I say once again: Oh, the blindness, the superstition and the cruelty! and I invoke God's punishment and vengeance on you, you pitiless judges, and on all those who take delight in martyring and murdering innocent people!'

'God is my witness,' says the author in conclusion, 'I desire to accuse no one unjustly and I bear no hatred in my heart, nor do I espouse the cause of those who have been proved to have inflicted injury and heaped up crimes, and who deserve suitable punishment. I speak only of those who have been murdered while innocent, and I raise my protest in the name of God against the tortures by which godless rulers and judges compel them to own to crimes which they have not committed and to devil's arts which are contrary to reason and commonsense, and which they could not possibly have practised. My not disclosing my name is a prudential necessity, because in these our unhappy times it is more than dangerous to attack the rulers and judges and to make oneself the advocate of witches and bad fairies, as is well known from many examples.'[1]

[1] The utterances of Luis Vives are also quoted by the Protestant preacher John Grevius in his masterwork on torture: *Tribunal Reformatum* of 1624 (see above, p. 192 ff.), Praef. D. 7ª, pp. 27, 42, 55, 439–441, 507. Grevius also quotes the Catholic jurist and theologian Petrus Carronius, who spoke to the following effect: 'What shall we say about the invention of the rack? It is far more a test or trial of patience than of truth. It is said in its defence: "The rack lays hold of the guilty, makes them pliable

An example of this sort was furnished at Treves in 1592.

There lived at Treves, at a time of frightful witch-persecution largely fostered by a work of the coadjutor bishop, Peter Binsfeld,[1] the Dutch cleric Cornelius Kallidius Loos, who had been driven out of his native land by the Protestants.[2] Out of pity for the unhappy victims who were tortured and then delivered over to the flames, he wrote, on the lines of John Weyer, but going far beyond him,[3] a pamphlet, 'Über die wahre und falsche Magie,' and sent it to the press at Cologne without having first submitted it to the prescribed ecclesiastical censure. But the censorship, having got scent of the proceeding, seized the MS. when the printer had only struck off a few sheets, and the author, who had also in personal intercourse spoken against the persecution of witches and had warned the clergy and

and forces them to confession; the innocent, on the other hand, it protects." But we have so often experienced the contrary that we must needs say: That is an empty subterfuge. For the establishment of truth the rack is a most deplorable means, full of doubt and uncertainty. What will not people do and say to escape from agony! Thousands and thousands of people have heaped false accusations on their own heads. Besides which, it is gross injustice and cruelty to torture and mangle a person for an offence the actuality of which is still doubtful. In order not to put people to death unjustly we treat them worse than if we killed them straight off.' *De Sapientia*, lib. 1, cap. 37, quoted by Grevius, 441–443.

[1] See below, p. 388 ff. Concerning the witch-persecution itself we shall give fuller details in our later section, 'Witch-Persecution in the Catholic Districts since the Last Half of the Sixteenth Century.'

[2] ** Loos was first of all professor at Mayence and then at Treves; see the interesting article of C. K. Adams in the *Nation*, 1886, November 11; see also Paquot, *Mémoires pour servir à l'histoire littéraire des dix-sept provinces de Pays-Bas, de la Principauté de Liège et de quelques contrées voisines* (Louvain, 1765 ss. Folio edition), vol. iii. 215–220.

[3] ** See Riezler, who says (p. 247) Cornelius Loos, the first Catholic champion against the witch-superstition, put forward far more enlightened and logical views than Weyer.

the Treves town council against it, was confined in the Abbey of St. Maximus by order of the Apostolic Nuncio, and on March 15, 1592, summoned before the ecclesiastical court presided over by Binsfeld as Vicar-General, and ordered to make a recantation in word and writing. Loos had gone so far as to assert that the whole system of witchcraft was a mere fabric of imagination; there were no sorcerers who abjured God and worshipped the devil. But he was not only obliged to recant this statement, but also, as 'savouring of heretical pravity, sedition and the crime of *lèse-majesté*,' the 'fundamental principle' of his pamphlet that 'all that was written about corporeal flights of witches was nothing but illusion, superstition and invention. Further, he was obliged also to withdraw his assertion that demons do not take on bodily shape, and that no immorality is carried on between the devil and human beings, and even also the statement that poor women were forced by the agony of the rack to confess things that they have never done, that by brutal slaughtering innocent blood was shed, and that by means of a new alchemy gold and silver were coined out of human blood.' For by such utterances he had accused rulers and judges of tyranny over the subjects, and had even tacitly implied that the Elector who sent sorcerers and witches to merited punishment, and who had issued an ordinance respecting the procedure and the law-costs in witch trials, was guilty of tyranny.[1]

[1] Delrio, lib. 5, App. 858 sqq.; *Gesta Trevirorum*, 3; *Additam*, 19. Cf. *Soldan-Heppe*, ii. 22–24; *Marx*, ii. 117–118. ** Loos's work, *De vera et falsa magia* was accounted lost, and no more was known of its contents than what Delrio put together from the author's recantation. The American, George L. Burr, to whom the history of witchcraft is so much indebted, succeeded in 1886 in partly recovering in the Treves town library, among

And yet the Elector John of Schönberg had himself, in this very ordinance, recognised the barbarous abuses

the archives of the old Jesuit College of that town, the MS. which was supposed to be lost. This writer says of it in the *Nation*, 1886, November 11, pp. 389-390: 'In reading through the manuscript catalogue of the Treves town library I came unexpectedly upon an imperfect description of a MS. which might possibly be the lost book of Loos. Gaining the kind librarian's aid, I sought with him the dusty shelves, and soon unearthed the little volume. It lacked cover and title-page; but a moment's inspection convinced me that it was indeed the long lost treatise. Only the title-page was wanting at the beginning, and the text was complete as far as it went; but it comprised only two books of the four described in the index. No search revealed more. The index was in a different hand writing and on a leaf of slightly different size from that of the text, but examination showed that corrections and notes had been added to the text in the hand and ink of the index. The latter were of such character that they could hardly have been made by another than the author. Now this corresponds with Binsfeld's statement that Loos had it *copied* for sending to the printer. This, then, was doubtless the confiscated original—the finished draft of Loos himself. I was permitted to make a facsimile of the whole book, and this now lies beside me. No mention of the MS. or its discovery has as yet been made in print. I am happy to say, however, that the Catholic historian, Janssen, who visited Treves only a few weeks after my own stay there, for the completion of that chapter on witchcraft which we have so long been anticipating as the final word on the subject from the Catholic side, was much gratified at the finding of the book, wholly confirmed my own opinion regarding it, and, in the pleasant greeting he sent me, promised to give it its merited place in his own volume.' 'As to its contents, the book is in the main, what might be inferred from Loos's recantation. In his preface he attacks bitterly the first introduction of the witchcraft persecution into Germany, and the *Malleus Maleficarum* which was its main instrument, ascribing the whole to the suggestion of the devil. Then with equal vehemence, but more guardedly, he assails Binsfeld and his book against the witches, declaring that the persecution had fallen into discredit until these renewed efforts to bolster it up, and affirming his own aim to be the overthrow of the Bishop's theories. The scope of his arguments can best be judged from a summary of his chapters. The first book is divided into six propositions as follows: 1. De discrimine magie (on the nature of magic). 2. De essentia demonum (essence of demons). 3. De diversitate maleficii (diversity of witchcraft). 4. De permissione divina (divine permission). 5. De consensu maleficorum (consent of the witches). 6. De imaginario pacto (imaginary compact). The second book has likewise six chapters: 1. De facultate demonum (on the power of devils). 2. De

which hitherto attended the persecution of witches, and had forbidden them to be practised in the future.

impotentia (impotence of the devils). 3. De veneficio et magia (poisoning and magic). 4. De disparitate demonum (disparity of the devils). 5. De substantia incorporeis (incorporeal substances). 6. De assumptione corporum (assumption of bodies). For the rest of the book we have only the headings of chapters: Lib. iii. 1, De apparitione spiritum (appearance of spirits). 2. De infestatione locorum (haunting of places). 3. De expulsione demonum (casting out devils). 4. De operatione demonum (operations of devils). 5. De spectris et visionibus (spectres and visions, possibly followed by another chapter on "the bodies of the dead"). 6. De diversis circa magiam (various points regarding magic). 7. De causis magie (causes of magic). 8. De demone comite (on attendant devils). 9. De officiis demonum (functions of devils). 10. De operibus mirabilibus (miraculous works). 11. De transmutatione rerum (the transmutation of things). Book iv. contains three sections: 1. De congressu demonum (congress of devils). 2. De operibus magorum (deeds of magicians). 3. De transportatione corporum (transportation of bodies). The whole was to be concluded by an epilogue. The method was the scholastic one in vogue and every point was established by citations from the Bible or from the theological authorities. Only now and then does Loos's indignation seethe over into eloquence, as where, in speaking of the imaginary compact, he bursts forth: "Ah, I feel my pen insufficient to express the emptiness of the matter, and far less to set forth its indignity. Nay, what pen were adequate! One can but exclaim, O Christian Religion, how long shalt thou be vexed with this direst of superstitions!" And not content with this, he has added on the margin: "Let the rulers of the Christian State weigh these things within themselves." Weyer is several times alluded to. In one place he is spoken of as "an author of our own day, eminent in medicine and a man of much and varied reading." And in another is added the pious wish, "And would that he were a Catholic Christian!" The arguments of Binsfeld are taken up in detail, though not in the order of his own treatment. There is frequent allusion both to the Bishop and to Treves, but names are carefully excluded. Once or twice Loos alludes to the sad fate of Flade, once intimating that he was the victim of malice, and ascribing his confessions to the torture; but a fuller discussion of this subject is reserved for that portion of the volume which is still missing. This book of Loos has also been dealt with by Keysser in the *Zentralblatt für Bibliothekwesen*, 1888, p. 455 ff. Keysser speaks of a fragment of it which was found in the Cologne town library. On the whole there are to hand six fascicules in 8_{o}.; in chapter liii. the text breaks off in the middle of a sentence. Keysser thinks that the fragment in our possession is all that was ever printed. The MS. used by Burr contains the text of only two books, but an index of all four.'

2.

Far more numerous than the followers and co-fighters of John Weyer, who exhibited soundness of mind and human feeling in dealing with the witch question, were those who either entered the lists directly against Weyer or else, without regard to his work, defended the witch-superstition in their writings, encouraged persecution of witches, and with the utmost vehemence urged on rulers and people to keep it up.

In the same year, 1563, in which Weyer first published his work, there appeared at Frankfort-on-the-Maine the 'Zauberteufel' of the preacher Ludwig Milichius, a popular handbook on 'Magic, fortune-telling, exorcism, blessing, superstition, and witchcraft.' The book enjoyed great popularity among the Protestants, was reprinted in the years 1564 and 1566, and embodied in the different editions of the 'Theatrum Diabolorum.'[1] Milichius here discussed all the arts of demonology and witchcraft and emphatically recommended that the people should be instructed in these matters from the pulpit. 'Some short-sighted preachers,' he said, 'insist that sorcery should not be much preached about, for it is not necessary and nobody knows if there is really any such thing, or what it is, and preaching about it might lead some people to take too much interest in it and to give themselves up to it. To this I answer that it is verily extremely necessary to preach about it in some places. And in these places preachers ought diligently to explain sorcery in all its varieties

[1] Goedeke, *Grundriss*, ii. 481–482; see our statement, vol. xii. 323 ff.

and conditions, so that the people may learn, if they do not already know, what sorcery is and how manifold it is, and how greatly God is sinned against by it.' 'Whereas in the German language nearly all the words by which works of sorcery are called contain something more in them than appears outwardly, it is indeed the duty of preachers not to leave these words unnoticed, but to give instruction to the people about them as often as it can conveniently be done.' Milichius then prescribed on what Sundays sermons were to be preached on the devil's allies, necromancers, exorcists, sorcerers, witches, milk-stealers, weather-makers and so forth, and on what others, soothsaying, superstition and so forth, were to be the subjects of pulpit instruction. 'Punishment by death,' he insisted, 'was to be inflicted on all persons who had compacts with the devil, whether men or women, and who called themselves magicians, necromancers, exorcists, fortune-tellers, witches, and what not.' 'As to the way in which they are to be got rid of,' he adds, 'the rulers are not bound by any definite law; secular judges must act in this matter according to the exigencies and circumstances of the different cases.' But the ruling authorities must see to it that they themselves neither use nor allow the use of any sorcery, so that they may not promote the abomination which it is their duty to prevent. Thus Milichius reckons it a 'sorcerous allurement' even to allow 'witches' without application of some torture, to confess all. 'When this takes place, tell me, I pray, who will believe the confessions that are made? Who will declare that the devil, whom Christ Himself calls the father of lies, is likely to reveal the truth?' For this the rack is necessary. 'Therefor

they must be examined under torture like other evil-doers.' [1]

A still firmer advocate on this side than the Lutheran Milichius was the Calvinist theologian Lambert Danaeus, who, in a French pamphlet published in 1574 and translated into German, Latin, and English, gave expression to the most unqualified belief in witchcraft, and pleaded for the extermination of witches. In some districts, he said, 'the witches are so defiant and audacious that they say openly, if only they had a distinguished and renowned man for their captain they should become so strong and numerous that they could march against a powerful king in open battle and easily vanquish him with the help of their arts.' To the argument against the journeys of the witches that 'their bodies had often been seen lying in bed at the very time when they said they had been elsewhere,' Danaeus answered: These supposed bodies were only masks and false bodies laid there in the meantime by Satan in place of the sorceresses. This is why many people think that sorcerers are not personally or corporeally present at their gatherings, for they are sure they had seen them themselves elsewhere; these people have been deceived by the devil's masks and counterfeits, and their opinion thus goes for nothing. Danaeus inveighed against those 'weak rulers and judges who give such evil counsel to the human race that people are afraid to root these terrible beasts, the sorcerers, out of the land, and when they come under their hands will not punish them. They show by their negligence that

[1] In the *Theatrum Diabolorum*, i. 166–168; cf. Diefenbach, 302–303. Roskoff, ii. 404 and Längin, 223, in discussing the *Zauberteufel* leave out the important passage about torture.

they do not make much account of God their Lord, and they are also traitors to this service and honour, since they help to foster His sworn and declared enemies and let them live on unpunished.' [1]

The famous Zwinglian theologian Henry Bullinger also vindicated the actuality of all those arts which the devil, by permission of God and as His executioner, carried out by means of sorcerers, witches and other godless, cruel, desperate and accursed people. According to divine commandment such people ought not to be allowed to live, and also he said, 'imperial law decreed that they must be put to death. Therefore let those men consider what they are doing, who dispute against these laws and decide that witches who deal only in dreams and hallucinations should not be burnt or put to death: however mistaken the papist writers may have been in their doctrines, they nevertheless condemned all these arts and enjoined on the ministers of the Church to expel from the Church all those who meddled with them.' [2]

[1] *Dialogus de veneficis, quos olim Sortilegos, nunc autem vulgo Sortiarios vocant*, Coloniae, 1575; several times translated (cf. Grässe, 53) and 'newly "teutsched" and corrected' in the *Theatrum de veneficis*, 14–53; the passages quoted by us are in this edition, pp. 15, 39, 47–48. Cf. *Soldan-Heppe*, ii. 15, where Danaeus, 'the actual father of reformed moral theology as an independent theological department' is mentioned. In the witch-book of Lambert Danaeus (so says Bekker, i. 117–119), 'devil's leagues and the works of sorcerers and sorceresses are described in full detail, especially the former, and more circumstantially than I have ever before seen in papist writers.' ** Cf. Paul de Félice, *Lambert Daneau* (Paris, 1881), p. 158 ss., and Paulus, 'Lambert Daneau et la sorcellerie,' in *Études hist. et relig. du diocèse de Bayonne*, 1895, p. 573 ss.

[2] *Theatrum de veneficis*, 304, 305. ** From the pamphlet: *In Acta Apostolorum Commentarii*, lib. vi. (Tiguri, 1535), in cap. 19. The famous Calvinist theologian Petrus Martyr Vermigli, Professor at Strasburg and Zürich, also stood for the most extreme belief in witches. Cf. his *Loci communes*

The admonition of the preacher Ludwig Milichius that witchcraft and sorcery should be earnestly dealt with from the pulpit was faithfully attended to by numbers of his brothers in office—The people listening to such sermons on devils and witches 'with great avidity because, nowadays,' so says a sermon of this sort preached in 1509, 'almost all the world is full of devil and witch works.' [1]

This eagerness of the people to hear sermons on witchcraft, &c., was testified to also by James Graeter, Dean at Schwäbisch Hall. When in 1589 he announced as the subject on which he was going to preach: 'How much the devil and his brides, the witches, can do and how far their power extends,' the church was quite full. 'See,' he said, 'how artful these bad fairies are, to be able to bring so many people to church on an ordinary

(Tiguri, 1580), p. 30 sqq.: 'De maleficis.' Petrus Martyr Vermigli writes here exhaustively on the question of alliances between the witches and the devil, of *incubi*, *succubi*, of compact with the devil and so forth. Precisely similar opinions were expressed by Hieronymus Zanchi, Professor at Strasburg and Heidelberg. Cf. especially in his *Opera omnia theologica* (Geneva, 1619), vol. iii. 199 sqq., the chapter 'De magicis artibus.' Zanchi says here emphatically: Whoever practises these arts must be punished ('plectendi sunt qui ea exercent'), God commands the magistrates 'ut eos tollant.' Zanchi believed, like Luther (see above, p. 270), in the existence of devil's children; although it is no sin not to believe in them, nevertheless people should not stubbornly deny their existence if they do not wish to expose themselves to the reproach of presumptuousness (*l.c.* 203 sqq.) in the section 'De incubis et succubis,' the thesis: 'Diabolos, assumptis hominum corporibus, cum veris mulieribus coire posse et ex illis liberos suscipere.' 'Etsi peccatum non est, si quis hoc credere nolit, non tamen sine nota impudentiae pertinaciter negari posse.' See also vol. iv. 513, Zanchi on the compact with the devil. The Zurich preacher Ludw. Lavater (*De caritate annonae ac fame conciones tres*, Tiguri, 1587) says indeed: Witches, with the help of the devil, can certainly do a great deal of harm, but they cannot make hail, or raise storms; yet he adds (p. 18): 'Quae non in eam partem a me dicta accipi velim, *quasi negem comburendos esse*.'

[1] *Ein Predig vom leidigen Teufel und seinen Werckzeugen* (1569), p. 3.

feast-day.'[1] Graeter rejected many aspects of witchcraft as apishness and devil's work, and lamented that in 'this wicked, perverse world almost all old women were accused of witchcraft';[2] at the same time he insisted emphatically on the punishment of witches. 'To lay down laws and regulations concerning this punishment was not the business of ministers of the Church; but it does behove us to say that wicked people, as avowed enemies of the human race, and above all as deniers of God their Creator, should not be spared, seeing that after the manner of their master the devil, they desire nothing else than to work injury, misery, and disaster.' 'For this further reason also they must be punished, because, as Dr. Luther writes, they strengthen the devil with his churches and his sacraments against Christ.'[3]

One of the most merciless of witch-preachers was David Meder, Protestant pastor at Nebra in Thuringia. In 1605 he published 'Acht Hexenpredigten,' which he had previously delivered, 'von des Teufels Mordkindern, der Hexen und Unholden erschrecklichen Abfall, Lastern und Übeltaten.'[4] He dedicated the volume to the chancellor of the Saxon elector, Bernhard von Pölnitz, on account of the latter's 'special inborn humanity and his friendliness to theologians and preachers.' It was incumbent, he said, on all preachers in virtue of their office, to assume towards all sins an attitude of teaching, warning, and punishing, and this more especially towards the sin of witchcraft. 'The

[1] Graeter, Bl. C 3. [2] Bl. A 4b.

[3] Bl. D 2; cf. Diefenbach, 321. ** A catalogue of Protestant witch-sermons of the sixteenth and seventeenth centuries is given by Diefenbach in *Der Zauberglaube des 16ten Jahrhunderts*, p. 204 ff.

[4] Leipzig, 1605. See Diefenbach, 304–305.

devil has escaped again from the pit of hell.' 'This is not only shown by the terrible, blasphemous teaching of Mahomet, the Pope and other heretics, but also by the frightful and multitudinous sins and vices in all classes. Most especially, however, is this plainly shown by the raging devil's troop of witches and evil spirits, who are the devil's most faithful servants, and who help to carry out his murderous deeds against human beings and cattle. He daily misleads such multitudes of them that their number cannot be counted.' At 'a well-known place' the devil caused it to be proclaimed that 'however many witches were burnt, he would nevertheless every Sunday double their number.' Meder drew an appalling picture of all the misdeeds of the witches, and gave fuller details from the pulpit of their immorality with the devil. 'The witches are obliged to recognise the devil as their god and are baptised in his name—some of them indeed in the name of the all devils, and the other witches bring water and vessels for the ceremony, which is performed either by the devil himself or by one of the witches. A fresh name is given to the baptised witch, and the newly-enrolled member of the devil's kingdom is provided with a special devil-paramour.' Therefore, all pious Christians 'must help in every way to root them out from the earth, let them be persons of as high condition and rank as they may. No husband shall intreat for his wife, no child for father or mother, but all must give their help to procure the punishment of those who are apostates from God, as God Himself has commanded.'[1] No one must let himself be deceived; even if the witches pose as God-fearing people, read the Bible, attend sermons, go to the Sacrament, still they are damnable

[1] Bl. 42b–43, 48 ff., 64, 73–75, 90b, 91.

witches and murderesses; 'how many examples could I not bring forward, if it were not already known to everybody.'[1] He told all sorts of witch stories; for instance, once when a witch whom the devil visited in prison wanted to turn to God 'the devil flew out through the hole and squeaked like a young pig; the pastor of the place himself told me this story.'[2]

If Meder put the 'blasphemous teaching of the Pope' on the same level as that of Mahomet, he also used his sermons in other ways for odious sectarian ends. 'Two monks of the diocese of Treves,' he says, 'a few years ago issued a printed publication in which they said that they had inquired of women in the confessional whether they were involved in this work (sorcery); and if they found any that were they instructed them still further in sorcery.' 'By two priests at Cologne it was stated in writing that they had baptised as many as 300 children in the devil's name; and they were able to do this because they performed the service in Latin.'[3]

Meder desired particularly in his sermons, as he says in the preface, to assure the assessors in court that they need not let it weigh on their consciences that they had condemned this devil's murder-crew to be burnt to death. 'The patrons' of witches were 'nothing else than devil's advocates and pleaders.'[4] The entire nation, and especially the rulers, were bound by God's commandment to root out and destroy the whole of the diabolical crew. Those rulers who did not diligently search and track out witches and give information against suspicious persons were under the divine curse, for the Scripture says: 'Cursed is he that doth the work of the Lord remissly.'[5]

[1] Bl. 58. [2] *Ibid.* 36[b]. [3] *Ibid.* 46. [4] Preface and Bl. 48. [5] Bl. 18, 60–61.

Quite as fiercely as Meder did the Henneberg Superintendent-General Joachim Zehner, as pastor at Schleusingen in 1612, urge unrelenting persecution of witches. In the following year he published his pulpit discourses under the title 'Five sermons about witches; their beginning, middle and end.'[1] In Schleusingen itself, he told his congregation, they had had public experience of the witches' works. 'When carrying off his faithful ones, the fork-riders and such-like wizard crew, the devil starts all sorts of fireworks in the air and raises a boisterous storm-wind so that it seems, as we experienced some days ago in this place in broad noonday, as if earth, mountain, forests, and everything were being torn and riven with a tremendous crashing, so that all the world must needs hear that another devil's bride has been fetched away. Those who persist in exonerating and defending such terrible abominations, give us to understand that they also belong to the number of these devil's ssociates.'[2] 'The rulers must not allow the lawyers to conduct the witch-trials in such a way as to let the culprits off with life, to go and do more harm. For, for all the wickedness which these "devil's brides" practise, rulers of this sort and honourable advocates will have one day to answer before the presence of God and the judgment-seat of Christ.'[3] The judges 'may sit by with a good conscience and fulfil an office which is not only not in opposition to God but, on the contrary, redounds to His honour and is specially well-pleasing to Him.' Delays and dallyings in the trials were not necessary, for God Himself has already pronounced the final sentence on witches; there is no need, therefore,

[1] Leipzig, 1613. [2] Bl. 90. [3] Zehner, 49-50; cf. 87.

to wait for the decision of universities and benches of justices. 'Oftentimes the evil-doers regard it as a piece of good fortune when their confessions are sent up to the universities, where they are not in the habit of practising such sharp justice, but are rather inclined to levity, having an interest in the business.'[1]

The proof that the devil ensnared women by preference lay for Zehner in the fact that 'invariably there were ten or twenty more women than men burnt.'[2]

In addition to sermons there appeared all sorts of instructional writings for the people on magic and witchcraft, which were altogether in disagreement with the opinion of Weyer and his like-minded associates.

To these writings belonged the 'Hexenbüchlein,' published in 1576 by the Protestant Doctor Jakob Wecker, or 'Wahre Entdeckung und Erklärung aller fürnehmsten Artikel von Zauberei, auch der Hexenhändel etwan durch Jakob Freiherrn von Lichtenberg

[1] Pp. 37–38.

[2] P. 7. The fiercest opponent of witches and the patrons of witches was, later on, the Lutheran deacon John Ellinger. In his *Hexen-Coppel*, he trots out, as it were, 'on the general market-place of Germany' 'twelve gangs of old, used-up, hideous, revolting, scurvy, scabby hags,' full of zeal against the 'witch patrons' who were of opinion that 'there was too much done in this witch business, and that many people were wronged.' 'If,' he said, 'these witch patrons and witch admirers are listened to, as, alas, God forgive, it has happened much too much hitherto, if we do not, on the contrary, promptly dish them up with fire, wood, and straw and send them up in smoke to the nightmares' heaven, we shall soon see here, there and everywhere, schools of magic cropping up shamelessly, schools in which the devil himself would instruct and derive profit, whilst the fiendish rabble would march through the world with drums, fifes and banners. Such witch patrons, Weyer insisted, should be handed over to the torture-master, who would very quickly settle and answer their expostulations and arguments with his rack, thumbscrews, &c.' *Hexen-Coppel· that is, a book on the primal origin and great league of the unholy witches, &c.* (Frankfort-on-the-Maine, 1629), Preface and pp. 42–43.

aus ihrer Gefängnuss erfahren.' 'When the devil,' we read here among other things, 'through his beadles summons a General Council of all the witches from all places and all nations of the earth, the novices are introduced, and, having taken their places in the ranks, are numbered, and, like the others, have the sign stamped upon them.' They are then taught by the devil how to make thunder, hail, hoar-frost, snow, storms and wind, how to enchant and bewitch, how to change into cats, wolves, goats, donkeys, geese, birds, how to ride on sticks and forks and travel from one place to another, how to make people lame, and how, generally, to play the deuce with the Wild Huntsman and his train.' The object of changing into animals is that 'the witches may be unknown to people and so be able to work more evil in the world: for cats climb on to roofs, creep into houses, hide in rooms and steal, bewitch and hurt children, and wolves can do great harm to the cattle; for nobody is aware that they are witches.' Wecker also deals with the amorous connexions between the witches and the devils, and with the changeling children, which the devil puts in the place of children he has stolen. These the witches take and boil in cauldrons; the fat which they get from them they make into a salve with which they grease their forks, and then, with the help of the devil, they escape through the chimney, and fly on 'till they come to the trysting-place; when there they see nothing, but only feel, nor may they even speak, for such is the bargain with the devil, the Spirit being unwilling to be disturbed by human speech. It also frequently happens that the devil carries off through the air and over the roofs pious folk who happen to be asleep,

nor does any harm come to them so long as the person holds his tongue, but no sooner does the devil hear his voice than he lets him fall. When the witches' misconduct with the devil issues in offspring, then the whole lot of them come at a canter to the Wild Huntsman; led by the devil, they gather from every nation and fly over bush and hedge, over village, town and country, over hill and dale, with fearful howls and horrid shrieks, with the devil now in front, now behind, till they come to the place appointed and there they bring forth their children.'[1]

Another pamphlet for the instruction of the people was published in the years 1593 and 1594 by the Protestant Siegfried Thomas under the title 'Eine Richtige Antwort auf die Frage: ob die Zäuberer und Zäuberinnen mit ihrem Pulfer Krankheiten oder den Tod selber beibringen können.'[2] This work, 'supplied with veritable stories old and new,' relates all sorts of horrible things about the intercourse of witches with the devil. Those who are specially well-pleasing to the devil are 'the sorcerers who have sacrificed their children, like a certain Count, for instance, who was a sorcerer and who had strangled eight little children and offered them up to devil, who had then told him that he must tear his own son out of the mother's womb and sacrifice it to him.' Children who 'before they were born were given up to the devil by their parents, could bewitch serpents and even men with a look, and even kill them.' Once a witch

[1] The *Hexenbüchlein*, which appeared in 1576 without mention of locality, printed in the *Theatrum de veneficis*, 306–324. In 1538 Wecker published at Basle a work, *De secretis* libri xvii. Grässe, *Bibl. magica*, 52.

[2] Erford, 1593, 1594.

had confessed that 'by means of unholy benisons she had contrived that the devil should enter into the bodies of all the monks of a monastery.' In Rome also the same thing had been done. 'But a Jesuit had persuaded the Pope that it was not possible for one person to send the devil into the body of another; this, however, was quite possible by dispensation of God, as is shown by stories that were related.' By a 'story' from Blois, Siegfried Thomas had also learnt what the devil had accomplished by means of a sorceress 'for the authorisation of the papistical mass.' [1]

'For the benefit of all good Christians' he depicted in a series of sixteen scenes on a copper-plate all the different proceedings of the witches 'according to their own special confessions,' and to each separate illustration he added a fuller explanation of the different incidents. For instance, 'some of them ride on broomsticks in the air far away over mountain and valley. In some desert place they find their king, who is riding in a golden car. Then they begin to dance round a pillar on the top of which couches a venomous toad. Because the toad will not come down from its pillar, a number of other witches and sorceresses come and tickle it with rods till it is obliged to come down into the dancing-place. They ride to the dancing-place on a dead horse. There they find all sorts of extraordinary ciphers and all the hocus-pocus used in sorcery; also a number of black cats, and amongst these a dead hand holding several tapers or candles. Soon they raise a storm so that hail and lightning fall on some house or other and set it ablaze. Then they begin to carouse: opposite them sits their fiddler

[1] Bl. A 4, E 4b, F. 2, H 2.

on a tree and above him a screech-owl playing a bagpipe. The wealthy sorcerers and sorceresses drink out of gold and silver beakers, but the poor ones out of cow-hoofs.' 'Then follows a scene of debauchery. The sorceresses whom the devil does not carry off bodily are burnt in a cauldron. A notary stands by and writes down how many sorceresses fly away through the chimney.' 'There is also a doctor at hand busily engaged in the study of necromancy or sorcery. Others who are also learning the art sit round on dead horses. One of them is being singed under the arms with burning candles. A toad and a cat are also of the party: these animals being treasurers and secretaries in all hellish affairs. There is also a ram who is deep in a book to learn where he is to ride with the dead witch. Finally there is a soothsayer and chiromancer who are seeking to discover what herbs are useful for sorcery.' [1]

[1] At the end of the pamphlet is the 'copper-plate,' with a further explanation in rhyme. As a supplement to this we may mention an engraving appended to a later edition of Ludwig Lavater's *De spectris, lemuribus, &c.*, which appeared first at Zürich in 1570 (see our statements, vol. xii. 340) and which represents a witches' kitchen. On the left, by the cauldron, stands the witch, a tall haggard figure, not with the usual blear eyes, but gazing intently at the cauldron with a sinister frown. Her hair hangs in matted locks round her head, in her withered hand she holds a spoon with which she stirs the cauldron. The fire blazes on high, the cauldron bubbles. On the right, opposite the witch, sits a devil on the floor. His head is a mixture of a wild boar, a ram and a donkey. The horns are not wanting, neither are the horse's hoofs, the claws and the tail. From his shoulders project wings like those of a bat. He is looking at the witch and showing his long tusks. Up in the air, high above the cauldron, floats another devil with a hare's head, a long lean body, and large wings. Round the cauldron hover the ghosts, and also snakes, lizards, bats, crickets, which, impelled by Satanic force, plunge into the seething liquid. Those who are not willing to take the plunge are pushed in by the devil, who is sitting by the cauldron with an iron fork which he holds in his claws. On the ground round the cauldron lie dead bones and magic herbs; snakes also, lizards, vipers, toads and suchlike animals crawl round about. In the background

'One of the many usages of witches and sorcerers was to take a sacred host and give it to a donkey to eat and then bury the donkey alive by the church door: this ceremony was followed by torrents of rain like a deluge.' 'Some one,' Thomas goes on,' wanted once to persuade me that in such a case the donkey was a human being, for we often read of people being changed into donkeys. But I see no sufficient reason why a real donkey is not meant here, though I am quite aware that Satan can change elements and bodies into other elements and bodies when God wills and allows him to do so.'

Thomas was not quite in agreement with a 'marvellous' antidote to bewitchments which, so he said, was in universal use in Germany. 'If a sorceress has bewitched a horse so that it becomes weak, palsied and barren, people take the entrails of another horse, convey them to a certain house, which they do not enter by the door but by the cellar-trap, or some other hole, and there they burn the entrails. No sooner has this been done than the sorceress who has bewitched the horse feels great pain in her body and is seized with colic in her bowels; she runs straight off to the house where the

stands a skeleton with the scythe. This engraving reminds one of Shakespeare's and Goethe's descriptions of a witch's kitchen. Horst, *Zauberbibliothek*, ii. 321, 365-373. ** Concerning the witch-pictures of the sixteenth century see our statements, vol. xi. 228 ff. In 1507 Albert Dürer published an engraving representing a witch: on the right of the picture a naked old woman with a distaff and spindle in her right hand sitting backwards on a goat and hunting through the air, holding on with her left hand to the goat's right horn, while the storms of heaven pursue her; cf. v. Retberg, *Dürers Kupferstiche und Holzschnitte* (Munich, 1871), p. 48. Bartsch. *Peintre-graveur*, vii. 82 (No. 67). Heller, *A. Dürer*, ii. (Leipzig, 1831), 477 ff. Hausmann, *A. Dürers Kupferstiche, &c.* (Hanover, 1861), p. 28. Prints of this sort were sold at the annual fairs. ** Cf. Hansen, 526.

entrails of the horse were burned to get a red-hot coal from the fire, and then the pains in her body cease. If they do not open the door to her instantly as soon as she knocks, the sorceress causes the house to be enveloped in thick darkness accompanied by such terrible cracking as though the house was going to fall to pieces. This usage of the Germans is held by some to be a devil's art.' [1]

As regards the punishment of sorcerers and witches, Thomas said that even if it was not they themselves who worked all the evil, but the devil, 'they must nevertheless be examined on the rack and burnt, because they had given themselves up to the devil, and let themselves be used by him, and also so as to be avenged on the devil, whose servants they had been.' [2]

A zealous antagonist of Weyer came forward in the person of William Adolf Scribonius, professor of philosophy at the university of Marburg. 'Weyer,' he wrote, 'does neither more nor less than shift the whole blame off the witches' shoulders and set them free from all punishment, and this for no other motive than to bring the art and the workers of sorcery everywhere into full swing. Yes, I say it boldly: I believe that he is initiated in all the circumstances of the witches, that he has been their associate and confederate in crime, that he is himself a sorcerer and poison-mixer, and as such defends the rest of the sorcerers and poison-mixers. Oh, that such a man had never been born, or at any rate had never written anything, instead of sending forth books which lead so many people to sin and increase the kingdom of Satan!'

[1] Bl. A. 2. [2] *Ibid.* D.

Thus wrote Scribonius in the year of Weyer's death, 1588, in the third edition of a publication 'On the Nature and Power of Witches,' which had first appeared in 1583.[1] The immediate inducement to writing this pamphlet was the question of the reliability or non-reliability of the so-called 'hexenbad' (witch-bath), or probation of the witches by throwing them into water.

The appeal to the 'Judgment of God,' or the application of the trial by water, the hot or cold bath, to which the people were much attached, had, from the time of the Lateran Council in 1215, been frequently forbidden by the Church even on pain of excommunication. All the same it continued in vogue in many districts till the close of the Middle Ages. Even as late as 1436 the council at Hanover decided to submit an accused person to trial by water.[2] Floating on the surface was the sign of guilt, sinking to the bottom that of innocence. After the middle of the sixteenth century this test came into use in the case of witches, especially in Westphalia, but was combated by Weyer and his followers as altogether objectionable and even devilish. Scribonius, on the other hand, assumed a different attitude.

He chanced to be in Lemgo when, on Michaelmas Eve, 1583, three witches were burnt to death there on the sentence of the council. 'On the same evening,' he says, 'three others who had been denounced by the

[1] *De sagarum natura et potestate, &c.*; cf. Grässe, *Bibl. magica*, 36, where the different editions are specified. Concerning Scribonius and his pamphlet, see *Soldan-Heppe*, i. 394–395. Binz, *Joh. Weyer*, 75–77 (** 2nd ed. 84–85).

[2] See *Wetzer und Welte's Kirchenlexikon*, iv. (1850), 622–623, v. [2nd ed.] (920 *s.v.*), Hefele, *Konziliengesch.* vi. 537 (** 2nd ed. p. 616).

first three as their associates and accomplices were put in prison, and the next day at 2 P.M., for the better establishment of their guilt, were thrown into the pond outside the town gate, that it might be seen whether they would sink or not. They were stripped of their clothes, their right hands were fastened to their left big toes and their left hands to their right big toes, so that they could not move their bodies in the least bit. In the presence of several thousand people they were thrown into the water, each of them three times; but like pieces of wood or cork they floated on the top, and not one of them went down.' It was also a matter of great surprise on the occasion that pouring rain, which had just begun, stopped the very instant the sorceresses touched the water, and the sky remained clear and blue so long as they were swimming; 'so soon, however, as they were taken out the rain came down again in torrents.' In Lemgo trial by water had only been introduced that very year, 1583. The town council, still doubtful as to the legitimacy of the proceeding, asked for a memorandum on the subject by the philosopher (Scribonius). The latter gave the question his serious consideration and pronounced in favour of the custom. The nature of the devil, he said, was 'airy and light,' and the witches did not sink in the water because by the influence of the devil they too had become 'airy and light.' 'From the moment that sorceresses enter into league and company with the devil they lose their former qualities, condition and substance; as regards their inward constitution they also become quite different people from what they were before, and receive a new shape. Thus witches may be described as people who have their portion from the

devil who has taken possession of them; the devil dwelling in their bodies makes them much lighter, although other people do not notice this, and whether they will or not they are obliged to swim on the top of the water.' 'A positive proof of this is that the devil often takes them high up in the air, where on account of their corporeal nature, it would otherwise be impossible for them to soar.' Against Weyer, who had declared such journeys in the air to be mere hallucination, Scribonius appealed to the fact, often also palpably demonstrated in Marburg, that even people who had never had any connexion with the devil had been carried by him by the hair from one street to another, or from a town or village into the open field, and afterwards thrown down again on the earth with a great bang.

By the fact of the witches floating on the water the devil himself made known to the people what they and their 'devilish company' really were. 'The devil himself, as a servant and jailer employed to carry out God's orders, thus shows the rulers and all the people that these evil-doers must be punished (this he must do whether he will or no), so that they may get the reward they have so well earned.' [1]

With these opinions of the Marburg philosopher, however, Hermann Neuwaldt, professor of medicine at Helmstädt, was altogether at variance. 'Whoever,' he declared, 'maintains that the devil changes the forms of things, is cracked and not in his right senses; he is also ill versed in philosophical principles.' The aerial journeys of witches were by no means, as had been asserted, to be regarded as mere hallucinations; but the power of the devil could confer such skill in

[1] *Bericht von Erforschung, &c.* Bl. B–C. (see below, p. 381 n. 1.)

flying without effecting any tangible change in the body. 'That the devils rule the air is reasonable to believe, because at God's behest they can raise winds, thunder, lightning in this place or the other in order to spoil the crops and the grazing cattle and to produce floods.' They do not only rule in the air, however, 'but also in the earth and in water, as the ancient Platonists held.' 'We must also reject the opinion of those who believe that, according to their deserts, some devils have their place of abode in the east, some in the west, some in the south, some in the north, and that they are obliged to stay in their appointed regions. For by nature they are restless and like robbers they rove hither and thither in order to satiate their fury. Therefore this opinion of the devil's confinement to and special possession of certain places does not hold good.'

Trial by water, advocated by Scribonius, was to be rejected as 'devilish sorcery.' It had been invented by 'necromancing executioners,' and was made into a spectacle to gratify the vulgar curiosity of the populace. 'The devil could easily hold the witches up in the water, but in the fire, which was the only proper place for witches, he was powerless to save them.'

Neuwaldt praises Weyer for having emphatically rejected the trial by water, which 'had always been suspect to him himself on account of its superstitious and deceptive character.' But for the rest he by no means agrees with Weyer, who was always inclined to pity the witches and who would not countenance their 'merited punishment'; the rulers must bestir themselves diligently to root out this devil's crew from the Christian Churches. Weyer had been refuted by 'numbers of excellent authorities,' for instance, by the theologian

Lambert Danaeus, and by Thomas Erastus, 'almost the most distinguished among all the physicians of our time.' [1]

The zealous Calvinist, Thomas Erastus, professor of medicine at Heidelberg and house-physician to the Elector Frederick III. of the Palatinate, was one of the first to come forward against Weyer as a defender of the belief in witches and an advocate for their extermination. His Latin disputation on witches was first published in Basle in 1572, then again in 1577,[2] in Frankfort-on-the-Maine in 1581, at Amberg in 1606, and in a French translation at Geneva in 1579. 'A witch,' he says, 'is a female who after denying God and religion, has given herself up to the devil, to be by him instructed how, by means of magic spells, herbs and other injurious things, to cause disturbance among the elements, to inflict injury and damage on human beings, on cattle, fields and fruits, and to accomplish other things humanly impossible; therefore it is the duty of all those in authority to rid the earth of these monsters.'[3]

Like Erastus, many other famous physicians of the period, for instance the house-physician of the Elector of

[1] *Exegesis expurgationis sagarum super aquam frigidam, &c.* Helmst, 1584. Our statements are from the German translation of H. Meybaum: *Bericht von Erforschung, Prob und Erkenntnis der Zauberinnen durchs kalte Wasser* (Helmstadt, 1584) Bl. C3–K. How John Ewich (see above) spoke against trial by water has been shown by Binz, *Joh. Weyer*, 86–87. Praetorius (112 ff.) deals admirably with the trial by water.

[2] *Disputatio de Lamiis seu Strigibus, in qua de earum viribus perspicue disputatur.* Basil. 1572. *Repetitio disputationis de Lamiis, &c.* Basil. 1577. Grässe, *Bibl. magica*, 33 and 52. Thommen, *Universität Basel*, 283, asserts erroneously that the first editions of the work did not appear in Basle. At p. 282 he mentions an edition of 1579. Concerning the Frankfort edition and the French translation, see Grässe, 50, 55.

[3] See above, note 1.

Brandenburg, Thurn von Thurneissen,[1] were completely duped by the witch-superstition. Daniel Sennert, since 1602 professor of medicine at Wittenberg, whose name ranked as one of the first in his profession, specified the different signs of direct and indirect leagues with the devil and complained that the common people were much too much given to attributing natural causes to illnesses which were really to be traced to demoniacal influences; scholars were much more aware of this fact, but the common people would not understand it.[2]

Amongst German lawyers the first to speak out against Weyer was the author of the Saxon criminal ordinance of 1572. 'For several years past a number of books have been published in which sorcery is regarded more as a superstition and a form of melancholia than as a crime, and in which the writers have strongly pleaded against capital punishment of sorcery and witchcraft. The arguments of Weyer are not of much importance, as he was a medical man and not a jurist. It is also of no

[1] See our statements, vol. xii. 296 ff., 352 ff., 368 ff.; and vol. xiv. 21 ff.

[2] *Opera omnia*, ii. 157, and iii. 1150. See Moehsen, 445. 'Witches,' he wrote, 'bear on their bodies visible signs or marks stamped by the devil. That this is true is seen from the fact that witches, even if the stigmas be pricked with a needle or other pointed instrument, do not feel the least pain or lose a drop of blood.' Here, however, he does not refer to his own observations, but to a Lotharingian witch-executioner Remigius. Franck, 104–105. Most of the doctors attributed diseases which they could not explain, or which exceeded the proficiency of their art, to the influence of the devil. 'When several skilful physicians,' so ran one of their dogmas, 'cannot diagnose or cure the evil, or when the disease, without known causes, reaches its crisis all of a sudden, one may be certain that it has a supernatural origin.' In such cases the witches were held responsible. Anton van Haen said in his work *De magia* (1775), part I, chap. iii., that he could fill thirty pages with a list of all the physicians who in the course of time had spoken in favour of the prevalent belief in witches. See Franck, 104–105, 107. ** For Luther on the devil as the originator of diseases see vol. xiv. of present work, p. 87 ff.

moment that he thinks these women are not taken bodily to the dances of the devil and his ghosts, since the opposite has been shown by Grillandus with examples and with better reason,[1] and experience proves that if not the body, at least the soul and mind, thus "praecipua hominis pars," are carried away as John Baptist Porta, the Neapolitan, demonstrates in his "Magia naturalis,"[2] and as the Livonian stories also show.'[3]

Just as these lawyers appealed against Weyer to the Catholic writers, so others in 1567 appealed also to Luther against him. Luther, they said, had declared in 1538 that 'no mercy ought to be shown to the egg, milk and butter stealers, and that he, Dr. Luther, was ready to burn them himself, as the priests, so we are told in the Ancient Law, took the lead in stoning the evil-doers.' 'If then,' the lawyers went on to say, 'no mercy was to be shown to these milk-thieves, &c., how much less should it be shown to those people who robbed others of their health, who lamed them, plagued them with cruel sufferings, often even killed them; for that they truly did do these things Luther had shown by citing instances of several cases which had happened to his mother, to a pious pastor who was bewitched to death, and also to himself.'[4]

Weyer's most vehement opponent was the French lawyer Jean Bodin, in a work which the well-read poet John Fischart, in his capacity of an 'honourable and highly learned doctor of both Canon and Civil Law,'

[1] Paul. Grillandus, *De Haereticis et sortilegiis eorumque poenis*, Ludg. 1536, 1547; ** also Francof. ad M. 1592.

[2] Naples, 1558, and in many other editions, Grässe, 112.

[3] See Wächter, 293.

[4] In the *Theatrum de veneficis*, 374–375; the names of the lawyers are not mentioned.

made known to the German people under the title 'Daemonomania: Vom aussgelassnen wütigen Teufelsheer der besessenen, unsinnigen Hexen und Hexenmeister, Unholden, Teufelsbeschwörer, Wahrsager, Schwarzkünstler, Vergifter, Nestelverknüpfer, Veruntreuer, Nachtschädiger und aller andern Zauberer Geschlecht; erst neulicher Zeit von dem edlen hochgelehrten und vielberühmten Herrn Johann Bodin, der Rechte Doktor und Beisitzer des Parlamentes in Frankreich: zur wolzeitgen Warnung, Vorleuchtung und Richtigung in der heutigen Tages sehr zweifelicher und disputierlicher Hexenstrafung gründlich und notwendiglich beschrieben.' Weyer, it was said in this work, 'had taken up arms against the honour of God,' God had 'distracted his understanding,' he was full of blasphemies and delusions, he wrote 'after the manner and style of the devil,' and thereby augmented the devil's kingdom on earth. 'The fact that at the end of his book Weyer's head became so heated with fury that he denounced the judges as brutal executioners and hangmen gives good reason for conjecture that he himself was not a little scared lest some sorcerer should prove too communicative, and so he did as little children who sing at night from fear of the dark.' Bodin-Fischart insisted on the persecution and burning of witches with a ruthlessness and barbarity shown by only a few writers of the sixteenth century.[1]

At the same time at which Fischart was advocating the repression and persecution of witches in his translation of Bodin (which went through numerous editions), he was engaged in another undertaking in the same

[1] See our statements, vol. xii. 385-389.

cause.[1] For sixty years not a single new edition of the 'Witches' Hammer' had appeared in Germany, and as far as can be ascertained there was never any reference to it in the witch-trials. Two later editions appeared in Venice in 1574 and 1576. Then the terrible book acquired once more respect and circulation by means of editions prepared by Protestants. The first of these, the Frankfort edition of 1582, is a mere reproduction of the Venetian. With the second Frankfort edition of 1582, which was followed by still fresh ones in 1588, 1598 and 1600, begins Fischart's activity for the spread of the 'Witches' Hammer.'[2]

The Strasburg bookseller, Lazarus Zetzner, who had the edition of 1588 printed at Frankfort, says expressly that he had bestowed the responsible editorship of the work 'on the renowned lawyer John Fischart.' 'Almost infinite is the number,' says the preface, 'especially in these latter times, of witches and sorceresses, who, as general experience proves, give themselves up to the service of the devil.' 'Now there are actually some famous and highly learned men'—Weyer is not mentioned by name—'who are of opinion that we must have pity on these poor women deluded by the devil, and that we should least of all burn them when they have not been guilty of any special injury. Nevertheless we must not be guided by this opinion, but rather by that which, according to divine ordinance, condemns them to the stake.'

Fischart in his German writings assailed with

[1] Since the Cologne edition of 1520.

[2] ** See Hansen in the *Westdeutsche Zeitschr. für Gesch.* 1898, p. 130; cf. Hauffen in the *Euphorion*, vi. (1897), 254 ff. See also our statements, vol. xi. 383 ff.

ferocious hatred the monastic system of the Catholics, and could not say enough evil of the monks, especially the Dominicans; here, however, there does not occur the slightest contradiction of anything which the Dominicans Sprenger and Institoris had reported concerning witches and witchcraft, leagues with the devil, devil's courtships, and so forth. On the contrary, all these things are accepted as credible and as veritably belonging to the nature of witches. Not the witches only—even when they had not been guilty of actual mischief—and the soothsayers, jugglers and magicians must be put to death, but also those 'who make use of their advice, whether they do so from a good or a bad motive, because the devil is at the back of it all.' To such lengths, however, the 'Witch-Hammer' itself had not gone. This work of Fischart, which in two extra volumes beside the 'Witch-Hammer' contained a number of other writings on witchcraft, was to be of special service to rulers and judges in the punishment of witches; 'it was only published for the general good and would be welcome to all true friends of the Fatherland.'[1]

The Frankfort printer, Nicholas Basse, by whom the work was brought out, arranged with Abraham Sawr, an attorney of the Marburg courts, for the publication of a new volume, which appeared in 1586, and contained seventeen different 'Traktätlein' under the title, 'Theatrum de veneficis, das ist: Von Teufelsgespenst, Zauberern und Giftbereitern, Schwarzkünstlern, Hexen und Unholden vieler fürnehmer Historien und Exempel, &c., &c., very useful to know and by no means to be despised.' Although sorcery, says Basse

[1] Preface dated from Strasburg, January 1, 1588, to the Frankfort edition of the same year.

in the preface, was one of the most widespread of vices, and 'no amount of wood, coal, straw and fire should be spared' in its punishment, people were nevertheless much too apathetic in the matter: many rulers and judges disregarded it altogether, did not believe that such people existed, in spite of the divine testimony and that of the courts, or if they believed it at all, were frightened about it, fearing the devil and his myrmidons far more than God, and being willing to allow all kinds of outrages to be perpetrated against the Deity, and their native land and people to be spoiled by sorcerers rather than to think of punishing them. Such rulers he hoped by these collected works to spur to greater zeal in hunting and persecuting the witches. On the other hand, however, in a poem, 'An den christlichen Leser,' Basse warned his readers 'not to proceed too hastily with poor and senseless women':

Therefore let each one see to it
In his own station, as is fit,
He go not to too great extremes
But punish only as beseems,
Nor haste with judgment until all
Has been confessed that did befall;
Do not load your consciences
With ill-considered sentences,
For guiltless blood poured out still cries
Aloud for vengeance to the skies.[1]

On the Catholic side not a single writer against Weyer's propositions appeared till 1589.[2] In the

[1] Frankfort-on-the-Maine, 1586.

[2] ** This is all the more remarkable, as Weyer's book was put on the Index. This occurred first with the Liège Index of 1569, and then by command of the Duke of Alba it was put in the printed Appendix to the so-called Tridentine Index printed at Antwerp in 1570, but Weyer does not stand here as an 'Auctor primae classis,' but 'secundae classis'; equally so in the Lisbon Index of 1581 and in the Spanish Index of 1583. The Munich Index

same year, however, the Treves Bishop-auxiliary, Peter Binsfeld,[1] who later on was in many points seriously blamed by the Jesuit, Frederick von Spee, published a work in Latin 'On the Confessions of Sorcerers and Witches, and how much Credence is to be attached

of 1582 put the work in the first class; not so, however, the Index published in 1590 by Sixtus V.; here Weyer figures twice (once under a misprinted name) in the second class with the proviso: 'until the book has been improved according to the rules of this Index.' Later on he held a place in the second class, minus the proviso, the book of his opponent Bodin (see above, p. 382) being also at the same time unconditionally forbidden. Cf. Reusch, *Der Index der verbotenen Bücher*, i. 417, 476, 537. In the new Index of 1900 Weyer does not appear. In a publication of William von Waldbrühl, which is frequently quoted from, *Naturforschung und Hexenglauben* (Heft 46 of the collection 'gemeinverständlicher "wissenschaftlicher" Vorträge,' published by R. Virchow and Fr. v. Holtzendorff, 2nd ed. Berlin, 1870), Weyer, p. 28, is branded as a 'freethinking Protestant' who had been already—i.e. before his work had appeared—excommunicated by the Tridentine Council (p. 30). Moreover, at p. 29 we read: 'Scarcely had the work (Weyer's) appeared, than the Frenchman Nicolas Jacquier wrote his book *Flagellum haereticorum* on behalf of the belief in witches.' This same *Flagellum*, however, is known to have been already written in 1458. Waldbrühl, be it remarked by the way, has other new information to report, for instance: The *Malleus maleficarum* appeared 'under Pope John XXIII.' (13); 'the Bull of Innocent VIII.' was a failure, as with Jakob Hochstraten the ecclesiastical witch-tribunal (November 6, 1486) went over to the civic judges (p. 14); 'the Gipsies were nowhere mentioned as originators of the witch-gatherings, but the Jews and those blockheads the Protestants' (p. 24). Statements no less astounding are found in Alfred Maury's *La magie et l'astrologie dans l'antiquité et au moyen-âge* (4th ed. Paris, 1877). Weyer appears there as a witch-persecutor: 'Wierus enregistrait toutes les réponses et les billevesées des prévenus et donnait, d'après eux, dans son livre *De praestigiis daemonum*, le catalogue complet et la figure des esprits infernaux. Pierre de Lancre, *non moins fanatique et non moins crédule*, se faisait une grande réputation de démonographe' (pp. 220–221). The *Malleus maleficarum*, according to Maury (p. 220), was first printed in 1589; Henry Institoris 'wrote on the same subject'; from *this work* John Nider compiled his *Formicarius*—composed at the time of the Basle Council—and so forth.

[1] ** See Kraus in the *Allgem. deutsche Biographie*, ii. 651 ff.; Burr, *Flade*, 13; and Steinhuber, *Gesch. des Kollegium Germanicum*, i. 211 ff. See also Duhr, *Die Stellung der Jesuiten*, p. 29 ff.

to them,'[1] which is in direct contradiction to Weyer. It went through four editions up to 1605, and was twice translated into German. The first translation was executed by the publisher of the work, Henry Bock, in 1590, 'for all lovers of truth and justice, in the hope that the rulers would not desist from their persecution of witches until the land had as far as possible become free from them.' The second translation appeared at Munich in 1591, prepared by Bernhard Vogel, assessor to the town bench of magistrates.[2] A small woodcut on the title-page was intended to illustrate the ways of the witches; one of them is seen escaping on a fork through the chimney, another riding through the air on a goat, a third bringing down deluging rain, a fourth boiling children, a fifth dancing with the devil, a sixth on her knees before him.

'There are still,' says Binsfeld, in the introduction to his book, 'different opinions in vogue concerning

[1] *Tractatus de confessionibus maleficorum et sagarum, an et quanta fides iis adibenda sit.* Augustae Trevirorum, 1589. In 1591 an enlarged edition appeared at Treves (in Grässe, *Bibl. magica*, 33, this work is not registered), and five years later came a still further enlarged edition, in the dedication of which to an abbot the author says: 'Quia hoc vitium plurimum, proh dolor, invaluit in diversis nostrae Germaniae provinciis et multi iudices nunc, experientia malorum excitati, *diligentius inquirunt*, priores tractatus nostri de maleficis editiones omnes divenditae et distractae sunt et passim tam in nundinis Francofurdiensibus, quam aliis officinis, ut multorum relatione didicimus, plura exemplaria expetuntur.' Binsfeld used also in this new edition all sorts of 'confessions' made by the witches burnt in the Treves district. To the question 'asked by many,' 'qui plus aequo misericordia erga hoc pessimum hominum genus moventur: Quando sit tandem futurus finis incendii in maleficas et sagas?' he gives 'sine ambagibus' the terrible answer: 'Tamdiu esse locum poenae, quamdiu culpa non cessat . . . Ignis ad maleficos, ignis ad sagas, ignis ad magos.' In 1605 a fourth edition had become necessary.

[2] ** See Riezler, 171 ff., who dwells on the special significance which Binsfeld's book had for Bavaria.

the nature of witches and witch-trials. Some people regard all that which human and divine laws and the confessions of sorcerers tell us as the illusions and dreams of old women, and then insist that those accused of this sin are certainly not to be punished. Others, when they hear things told of sorcerers which they cannot understand, declare that such things are impossible. On the other hand, there are also some who ascribe far too much to the influence of the devil: others again, although convinced of the reality of sorcery, say nevertheless that we should only put faith in those confessions which the sorcerers make about themselves, and not believe what they say of their associates. Finally, there are also some who, from inexperience or under the semblance of zeal for justice, instantly cause a person accused by the statement of any old woman to be seized, thrown into prison and afterwards actually stretched on the rack.' Binsfeld's own principles are in several respects more moderate than those of many other witch-enemies of the century. Thus, for instance, he rejects the assertion of Bodin that people through the help of the devil could change themselves or others into animals; he further condemns Bodin's opinion that judges are justified in extorting confessions from witches by fraud, lies or false promises; the use of trial by water he considered a work of the devil; cruel and godless, too, he said it was to refuse the Sacraments to those who were penitent; only the stubborn ones were to be burnt alive, the rest were to be executed before the burning; confiscation of the property of witches—that fruitful means of enriching the judges—was altogether to be discountenanced. For the rest, however, he fully shared in the

superstition of his time, especially as regards the opinions about immoral intercourse with the devil. For the actuality of witch-rides he appeals not only to theologians and lawyers, but also to 'most certain and undoubted experience, confirmed by the general voice of the people; and we may well say here that the voice of the people is the voice of God, since all truth is of God.'[1] In his efforts to emphasise the iniquity of witchcraft the Calvinist theologian, Lambert Danaeus, served him also as guarantor. On account of the enormity of this sin, it was justifiable in witch-trials, he maintained, to overstep the regular laws and ordinances.[2]

The most distressing results also proceeded from his doctrine that, on the ground of the statements of witches concerning their accomplices, the authorities had a right to subject the persons indicated to torture; there being no doubt, as a rule, of the truth of such statements.[3]

[1] 'Accedit ad testimonium experimentia certissima, quam communis vox populi confirmat; atque hic certe dicere possumus: vox populi vox Dei, cum omnis veritas a Deo sit' (ed. of 1591, p. 351, of 1596, p. 392). Hermann Witekind embodied in the edition of 1597 of his *Christliches Bedenken* (see above, p. 326 f.) a refutation of some erroneous opinions and practices in the matter of witchcraft, in which, without mentioning names, he entered the lists against Bodin and others, especially the 'master-burner' Binsfeld, and as in the original work so too here he vehemently and resolutely condemned the tortures which were regarded as 'the only way and means of arriving at the truth' (Binz, *Augustin Lerchheimer*, 141–159). If at p. 159 he speaks of those 'who put to death well-to-do women not so much out of zeal for the honour of God and indignation at these women's denial of God, as out of desire for their riches,' this reproach does not apply to Binsfeld, who spoke out most emphatically against the seizure of goods. Against trial by water, which is not alluded to in the *Witches' Hammer*, and was only introduced later, Binsfeld spoke even more strongly than Witekind (p. 105).

[2] 'Regulare et iuridicum est, quod, propter enormitatem et immanitatem criminis, iura et statuta transgredi licet.'

[3] ** Duhr (*l.c.* p. 30) points out that Binsfeld in this respect was at variance with the practice of the inquisition.

Seven years after the first appearance of Binsfeld's work, in 1596, Franz Agricola, pastor at Sittard in the duchy of Jülich, a decided opponent of Weyer and his fellow-thinkers, thought it urgently necessary to enlighten thoroughly the rulers and the people on the sin of witchcraft, and to exhort them to the most unrelenting punishment of all sorcerers and witches. 'I know not,' he said in the preface to a pamphlet, 'Von Zauberern, Zauberinnen und Hexen,' dedicated to his territorial prince Duke John William, 'I know not whether any Catholic writers have hitherto treated this subject in German, but at any rate the rulers are not yet sufficiently informed as to the horror and monstrosity of this sin; on the contrary, they have been deluded and persuaded by certain "procurators, tutors, and true and faithful advocates of sorcery," persons blinded by the devil, possibly also themselves not guiltless of this vice, into thinking either that there is no such thing as sorcery, and hence no sorcerers, or else that sorcerers and witches do not deserve such severe punishment as is decreed in God's Word and in the laws of the land. Whereas, however, through the negligence of the rulers, all manner of sins and vices, especially since the last thirty years of rebellious, warlike, insolent, seditious behaviour, had come everywhere into vogue, so too that most scandalous, dangerous and abominable sin of sorcery and witchcraft had spread in all directions; no country, town, village, or district, no class of society was free from it.' Lambert Danaeus had the same tale to tell: The number of witches and sorceresses had grown to such proportions that they now had the audacity to say that 'provided they had as many men as women in their ranks they

would hold their conventicles and gatherings openly, would practise their arts openly, and with outspread banners would rise up against the ruling authorities, in spite of all who opposed them.' [1]

He made out that sorcerers, sorceresses, or witches were more wicked than heathen and idolatrous people, than Jews, Turks and Mamelukes, than blasphemers and other perjured, faithless men, than heretics and sectaries, than Sodomites, than parricides and matricides, traitors, incestuous persons, adulterers and so forth.[2] He advised that care should be taken not to punish the innocent, rejected, like Binsfeld, trial by water as 'superstitious and a devil's device,' did not by any means despair of the conversion and salvation of witches, and spoke at length on the means which should be used to bring them to penitence and reform, but amongst these means, 'not the least one was that people convicted of sorcery should be arrested by the proper legal authorities,' put in prison and punished according to the circumstances of the case.[3]

The most remarkable of the sections in which the work is divided is the seventh, 'Von allerlei argumenten, Gegenwürf und Einreden,' against the reality of sorcery and all the arts of the witches, their journeyings, their intercourse with the devil, and the advantageousness and necessity of their being punished.[4] In four sections Agricola brings in no less than fifty-one such objections, not one of which he will, however, admit. Thus,

[1] Dedicated to the Duke from 'Sitart,' November 12, 1596; from the Preface to the reader. I make use of the Dillingen edition of 1613. ** Dr. Paulus has been so kind as to inform me that the first edition of Agricola's *Gründtlicher Bericht, ob Zauberey die ärgste und grewlichste sünd auff Erden sey* appeared at Cologne in 1597.

[2] Pp. 1–68. [3] *Ibid.* 69–98, 291. [4] *Ibid.* 238–353.

for instance, to the argument: 'The witches do not deny God and Christ, for many of them go to church, listen to sermons, take part in the worship of God, confess and receive the holy Sacraments, pray to God and Christ just like other people,' he answers: 'That is all damnable, hellish fraud, which they have learnt from the devil, in order to conceal their wickedness and to ward off suspicion, and also to draw others over to them.'[1] To an objection of a different kind, 'That if all sorcerers were to be burnt, the richest and most distinguished people would often fall victims,' Agricola answered: 'The magistrates who had orders not to let sorcerers and witches live ought least of all to spare such persons, because they were more likely to lead others astray and because they had not the excuse of poverty and want nor of simplicity and lack of understanding, but gave themselves up to these abominations out of sheer wickedness and devilish wantonness.' Again, the objection: 'It is hard to have to burn one's own wife, brother, friend, &c.' should have no weight with a pious magistracy, 'for they must love God more than their own flesh and blood, and execute God's orders even against father or mother.'[2] If it was objected that the expense was too great, 'for there were such endless swarms of the vermin, and when once one began burning it more and more came to light,' this had no weight whatever. 'When the magistrates have to punish evil-doers and rioters in shoals and masses they do not think about the expense, and still less when a war is started, often for the most trifling cause: how much less, then, should expense be considered when it is a question of punishing the

[1] Pp. 247-250. [2] *Ibid.* 300-302.

enemies of God and of all Christendom! When unnecessary, far too costly buildings are to be erected, when unnecessary, unsuitable pomp, display, banqueting, amusements are to be indulged in, who thinks of outlay and expense? Why then are we to be so squeamish about costs and extravagance when it is a question of carrying out God's orders, of defending God's honour, of upholding justice, of being true to one's office and one's oath, of punishing the iniquitous, yea, the arch-iniquitous, for the protection and safety of God-fearing subjects?' Moreover the magistrates had all the less ground for 'abstaining from proper punishment and execution of sorcerers and witches on account of expense,' because they had the right 'to defray the costs involved in these legitimate trials and executions out of the possessions of those witches and sorcerers who had any means of their own, and this was often done in many places in the empire: and very justly too.' It was also the law that compensation should be made out of the possessions and heritages of wealthy malefactors for the damage done by sorcery and witchcraft to human beings and cattle by the raising of storms, &c., by which whole towns and villages were often injured. If, however, as was generally the case, the witches and sorcerers were poor, the parish in which they lived must defray the costs, and the magistrates not only had the power, but were in duty bound 'to tax the subjects according to necessity and to insist on their paying up.' 'And if in other cases the pious subjects are bound and are also willing to contribute to the expenses, how can they justly complain or refuse when they are solicitous for God's honour, inclined to justice, enemies to iniquity, anxious

to safeguard their temporal and eternal welfare, and not themselves addicted to sorcery ? ' [1]

Agricola actually urged on the subjects that if the magistrates were remiss and negligent in the punishment of witches and sorcerers, or timid on account of expense, they themselves should come forward of their own free will to take on themselves the burden of the costs, and that they should spare no pains and exertion, no money nor property for rooting out all these accursed confederates of the devil, and that they should earnestly and undesistingly keep the magistrates up to their duty in this respect, ' nevertheless without sedition or violence.' [2]

Binsfeld and Agricola, and also the Worms pastor Conrad Distel,[3] the Schlettstadt pastor Reinhard Lutz [4] and Michael Buchinger of Colmar,[5] as far as we are warranted in concluding from the witch-literature that has become known, are the only ones among the German Catholic clergy during the sixteenth century, who advocated and encouraged witch-persecution by their writings. Sermons in favour of this persecution, such as were frequently published among the Protestants,[6] only appeared singly and occasionally on the Catholic side in the age of the Reformation and down to the Thirty Years' War. This caused the Bamberg Bishop-auxiliary Frederick Forner to complain in his witch-sermons, published in 1625, that ' before

[1] Pp. 328–339. [2] *Ibid.* 201–202, 239–241.

[3] ** Concerning a Latin speech about witches, delivered by Distel at an assembly of clergy, in which he insists that ' evil spirits should be pitilessly exterminated,' see Paulus in a review of the present work in the *Katholik*, 1895, i. 80 ff.

[4] ** See below. [5] ** See Paulus in the *Katholik*, 1892, ii. 220.

[6] See above, p. 365 ff.

him no preacher of the divine word had treated this subject in a book; there was scarcely anyone known to him who had protested in sermons to the people against the terribly widespread evil of witchcraft.' [1]

Among the Catholic scholars who had treated the subject of witchcraft with the greatest diligence and acumen, and with universal approval, Forner further included, besides Binsfeld, the lawyer Nicholas Remigius and the Jesuit Martin Delrio.

Nicholas Remigius, privy councillor and chief judge in the duchy of Lorraine, published at Lyons in 1595, in Latin, a 'Daemonolatria,' which was printed at Cologne in 1596, and in the years 1596 and 1597 at Frankfort-on-the-Maine. The Frankfort bookseller Zacharias Palten dedicated his edition to the 'highly renowned and most distinguished scholar, Otto Casmann, school-rector, later on preacher at Stade,' because he, in his teaching about demons, was in full agreement with the admirable treatises, unique of their kind, of Remigius

[1] *Panoplia, Epist. dedicatoria to the Bishop John Christopher of Eichstätt*, Bl. 3. ** The only witch-sermons by Catholic clerics known to me, besides the discourse of Distel (see above), which only in a certain sense comes under this head, are those of the Tübingen professor and parish-priest Martin Plantsch, delivered on the occasion of a witch-burning which took place in 1505, and afterwards published in Latin (*Opusculum de sagis maleficis*, Phorcae, 1507). See Paulus in the *Diözesanarchiv of Suabia*, 1897, No. 6, and the *Katholik*, 1900, ii. 47. Here Paulus remarks: 'Plantsch wanted by his writings to show other clerics in what manner they ought to turn away the credulous populace from the empty witch-superstition. His expositions, however, in which far too great an influence on the outer world is conceded to evil spirits, are much more calculated to excite sympathy with the superstition than to undermine it. It is worthy, moreover, of notice that the well-known humanist Henry Bebel in a preface to the witch-sermons cannot sufficiently praise his friend Plantsch, and is full of indignation against the *execranda perfidia sagarum*—a proof that at that time the belief in witches was also shared by the humanists.' The opposite assertion of Riezler (see above, p. 217 note) is therefore false.

who had made the largest collection of witch-confessions, either voluntary or forced.[1]

This work was found to be of such general usefulness that in the years 1596 and 1598 a German translation of it was brought out under the title 'Daemonolatria,' i.e. 'Von Unholden und Zaubergeistern, des Edlen Ehrenvesten und hochgelarten Herrn Nicolai Remigii welche wunderbarliche Historien, so sich mit der Hexen deren über 800 im Herzogtum Lotharingen verbrennet, zugetragen, sehr nützlich, lieblich und notwendig zu lesen.'[2]

What there was in the work that was 'pleasant (*lieblich*) to read,' I cannot discover.

Just as the French parliamentary councillor Bodin, who had presided over a few witch-trials, felt 'his hair stand on end' at Weyer's godless production, so Remigius felt ready to start out of his skin on perusal of the pages of this 'house-physician of the Duke of Cleves, inexperienced in law, obscene, and meriting the severest punishment.' To establish the actuality of the maddest and most ridiculous witch-superstitions, Remigius used the confessions of some 800 witches who, during his tenure of office, had, within sixteen years, been condemned in Lorraine to the stake.[3] As the Protestant theologian Meyfart was later on to point out with great justice, it does not speak well for the author that in his book he deals with several

[1] Dedication of September 7, 1596, in the Frankfort edition of the *Daemonolatriae libri tres* of 1597.

[2] Translated by Teucrides Annaeus Privatus, Frankfort, at the shop of Cratandrus Palthenius, 1598. The German edition of 1596, quoted by Soldan-Heppe, ii. 25, n. 2, is unknown to me.

[3] Lib. 1, cap. 15. Almost as many witches, it says there, had escaped punishment by flight or had not been brought to confession by torture.

hundred persons at whose trials his Excellence was himself present. The absurd stories which Remigius puts into print testify far more to the innocence of the condemned than to the cleverness of the judges. I have read the papers through carefully and found that the whole fabric rests merely on statements extorted by torture and on crazy tales of demented beggarfolk. The things brought forward by Remigius are 'so preposterous, impossible, and therefore incredible' that even an ABC schoolboy would regard them as idle tales.[1] All those who accepted his reports as truth must have been terribly alarmed at learning that the witches executed in Lorraine almost all of them 'confessed' that they had received from the devil power to get into locked-up houses at night in the shape of quite small animals, mice, cats, and so forth, and when there to reassume their human form and poison the sleeping household, and do other dreadful deeds; very difficult it must have been to protect oneself against such witch-arts as these.[2] But if, on the one hand, the devil was so kind to the witches as to bestow on them such power, on the other hand, as they themselves with 'equal verisimilitude' confessed, he was also inexorably stern with them. Remigius had learnt, for instance, from their 'confessions,' that if the witches did not appear punctually at the gatherings, or neglected to attend them, or in any other way acted contrary to the devil's orders, he

[1] Meyfart, 480; cf. 527 ff.

[2] Lib. 2, cap. 4, p. 213 sq. This chapter is headed: 'Perdifficiliter vitari posse quas veneficae hominibus struunt insidias: quod de nocte in obseratas, clausasque domos ignota specie ac forma illabantur, arctissimo somno decumbentes diris suis artibus obruant, prodigiosaque alia multa edant,' &c.; cf. lib. 2, cap. 7 and 8, pp. 239-253.

punished them in the cruelest manner and tore them to pieces with his claws.[1] Remigius assures us that the devil sometimes attended the judicial proceedings in person, in order to restrain the witches from making confessions, but on such occasions he was visible only to them, and not to other people.[2]

At the trial of witches, says Remigius, everything connected with them is suspicious, whether they go often to church or never, whether their bodies are hot or whether they are cold, and in every case the most unrelenting punishment is decreed against them. But then comes the question, how should children who are under age, and who have taken part in the witch-gatherings, be punished? That the number of such children was enormous Remigius had not the slightest doubt. 'When the devil,' he shows from his experiences, 'has once got into a family, he does not easily let himself be driven out again. He works upon the mothers to such an extent that they early dedicate their children to him, take them to witch-dances at the age of seven or twelve and imitate them in all the arts of witchcraft.' But these children in spite of their tender age must not be let off punishment. 'We two high judges in the case of several children who had been given to the devil from their earliest years by their parents, and were, therefore, well able to distinguish between right and wrong, sentenced them to be stripped and thrice birched round the spot where their parents were burning at the stake. This punishment has remained in vogue since then, but I have never thought that it adequately met the demands of the law. They ought to have been completely exterminated,

[1] Lib. 1, cap. 13. [2] *Ibid.* 3, cap. 11.

so that no one should receive any further injury from them. Wholesome zeal is always preferable to an outward semblance of mercifulness.' [1]

Remigius was by no means alone in these opinions. Henri Boquet, chief judge in Burgundy, considered it (1603) a species of mercy to strangle witch-children, instead of burning them.[2] Binsfeld was of opinion that except under quite exceptional circumstances capital punishment should not be inflicted on boys and girls till they had completed their sixteenth year.[3] This 'mild' course, however, was not adopted. The Protestant preacher Rüdinger informed his hearers that 'death by fire would be inflicted on dragon-cubs and devil's wh—— of seven, twelve or fifteen years old.' [4] The torture of minors for the extortion of confessions was a frequent occurrence in the law courts. Binsfeld also protested against this; only threatening language or chastising with rods or leather thongs should be used to elicit their evidence.[5]

Important regulations for the use of the rack are contained in a work compiled by the jurist (later Jesuit) Martin Delrio, born at Antwerp of Spanish parents in 1551.

This book, 'Disquisitiones magicae,' in six vols., which appeared first at Louvain in 1599 and went through several editions, dealt with the whole question of witchcraft, and collected from contemporary law-books and contemporary judicial practice everything bearing on the treatment of witches.[6] Delrio, a

[1] Lib. 2, cap. 2. [2] See Lecanu, *Gesch. des Satans*, 295.
[3] *De confessionibus* (edition of 1596), p. 650. [4] Rüdinger, 255.
[5] *De confessionibus*, 350.
[6] *Disquisitionum magicarum libri sex, quibus continetur accurata curiosarum artium et vanarum superstitionum confutatio, utilis theologis iuris-*

theoretical bookworm, shared with tolerable fulness in the witch-superstitions of his time, assailed vehemently

consultis, medicis, philologis. Lovanii, 1599. Catalogue of the numerous editions in Grässe, *Bibl. magica*, 47. The statement of Binz (*Joh. Weyer*, 79), that the work was first issued in Mayence in 1593, is erroneous, as is clear from Delrio's preface (Lovanii, 7. Id. Mart. 1599) and from the approbation of the censor of February 8, 1599. Justus Lipsius, who proposed the title *Disquisitiones magicae* for the work, wrote to the author in 1597: 'Magica tua pro votis multorum tarde dabis. Omnino in hoc incumbe et emitte'; and again in June 1598: 'Tua Magica haud dubie omnibus grata . . . perge et promè' *Burmanni Sylloge Epistolarum*, 545, 548. The American G. S. Burr, professor at Cornell university, writes in his treatise *The Literature of Witchcraft* (reprinted from the Papers of the American Historical Association, New York, 1890), p. 60, n. 7: 'In the National Library at Brussels, where I have examined it, is an earlier and much briefer draft of Delrio's book, dated 1596 and bearing the title *De superstitione et malis artibus.*' 'The edition ascribed by Grässe (and by others following him) to 1593 is a myth,' for the reasons given by us above. In Grässe, however, no such edition is catalogued. ** Even in the 2nd edition Binz repeats (p. 88, in the text) that the work appeared first at Mayence in 1593, adding the following note, p. 88 ff. 'If Janssen, viii. 612 (of the earlier edition: German), says this statement of mine is erroneous, he must blame not me, but the source which I took care to mention. This source is the work of the two Jesuits de Backer, wherein it is said that the first edition appeared as a Folio in 1593, at Mayence.' Binz, so it seems, does not think it necessary to correct an obvious mistake to which his attention has been drawn, so long as he can show whence he got the mistake. Moreover, in the new revision of de Backer's work by C. Sommervogel (*Bibliothèque de la Compagnie de Jésus, Bibliographie*, t. ii. [1891], p. 1898) the supposed edition of Mayence of 1593 is tacitly set aside, the edition of Delrio in three quarto vols. (Lovanii, 1599-1600) being mentioned as the first, the second being the Mayence edition of 1600. Delrio studied law in Paris, Douay and Louvain, and distinguished himself as much by his commentaries on civil law as by his philological writings. Justus Lipsius called him a 'miraculum nostri aevi' (cf. Peinlich, *Gesch. des Gymnasiums zu Graz, Programm*, 1869, p. 5). He filled in Brabant the post of a vice-chancellor and procurator-general, in 1580 entered the Jesuit Order at Valladolid, taught philosophy at Douay, theology at Liège, Louvain, Gratz, and Salamanca, and died at Louvain in 1608. The object of his *Disquisitionum Magicarum libri sex* he described as follows at the beginning of the fifth book (I make use of the Mayence edition of 1624): 'Quis credidisset me post annorum viginti felix a Tribunalibus ad Religiosae vitae transfugium ad hanc Masuri rubricam rediturum? Redeo tamen non ut coram me

the differing opinions of Weyer and Gödelmann, and, with the greatest satisfaction, embodied in his work the act of recantation of Cornelius Loos. The actual basis of all witchcraft was in his opinion the compact with the devil, and he supported the decree of the Saxon and Palatine criminal ordinances that the witches, even if they had not injured anybody, ought to be punished on account of their compact with the devil. His book is full of all sorts of enormities connected with the belief in witches. But one cannot deny him the merit of having laboured zealously to modify the cruel severity of witch-trials and to impress on the judges the principle that it was better that a hundred guilty persons should escape punishment, than for one innocent one to be condemned.[1] If the judge can elicit the truth without it, he must not have recourse to torture; for trial by torture is a dangerous and deceptive matter and is often the cause of an innocent person suffering the severest punishment.[2] Torture must only be used when there are 'the most undoubted proofs' of guilt, so that the judge is fully convinced and nothing more is wanting than the confession of the culprit.[3]

reus palleat, non ut Quaesitor sedeam, vel ut Quadrupalator aures praebeam sed ut iudicibus consulam, quibus ex librorum confusa congerie aut usu nimis arbitrariorum hodie iudiciorum ista minus libuit vel licuit ad crimen, de quo nunc agimus, accommodare.' Lib. 5, p. 694. Concerning Delrio and his work see also Duhr, *Die Stellung der Jesuiten*, pp. 39–45.

[1] Lib. v. sect. 1.

[2] 'Abstinendum iudici tormentis, si possit abstinendo veritas haberi; quaestio enim res fragilis est et periculosa et quae saepe veritatem fallit, saepe fit, ut innocens pro incerto scelere certissimas luat poenas.' Lib. v. sect. 9.

[3] 'Indicia tam urgentia et certa et luce meridiana clariora, ut iudex sit quasi certus de delinquente et ut nihil aliud ipse desit quam rei confessio.' Lib. v. sect. 3.

Among the 'indications' which according to common usage justified the use of torture, Delrio rejects the fear and trembling of the accused, also the fact that 'an accused woman' does not shed tears. Trial by water, which had become a common custom but was by no means legitimate, could give no warrant for the use of torture.[1] No less objectionable, he said, was the doctrine established by Bodin that a judge might elicit the truth from the accused by means of lies.[2]

The dictum of Delrio that torture might last for an hour sounds terrible to those unacquainted with the system of torture of that period. Adam Tanner, an associate of Delrio, did not recognise this dictum, though Protestant lawyers at Coburg, who were attacked by preachers of the town for their mild use of torture, appealed to it in self-defence against the prevalent practice in the courts. They also appealed against their clerical opponents to the fact that Delrio insisted that the accused witches should be allowed counsel to defend them.[3] The Coburg preachers would not give

[1] The Jesuit Leonard Lessius also rejected trial by water in his book *De iustitia et iure* (4th ed. Antwerp, 1617), p. 385. ** Duhr (*Die Stellung der Jesuiten*, p. 44) says: 'In combating these absurdities Delrio was chiefly opposed by Protestants such as Bodin, Gödelmann, and Scribonius, who were even more victimised by superstition than the Jesuit.' *L.c.*: 'If many things in Delrio strike us as horrible, we must remember that the general practice in torturing and burning, among both Catholics and Protestants, was still more horrible. Delrio's suggestions are largely mollifications of existing practice, as he himself repeatedly declares.'

[2] 'Homo praecipitis et nova ac periculosa amantis ingenii Io. Bodinus haec omnia iudici permittit. In primis dum asserit licere mentiri. Hoc hodie haereticum est. Est fide enim tenendum, mendacium esse rem simpliciter et per se malam ideoque adeo illicitam, ut nec Pontifex dispensatione bonam facere possit.' Lib. v. sect. 10.

[3] The lawyers quoted the words of Delrio: 'Omnino tenendum, etiam in exceptis criminibus non posse denegari reis advocatum . . . iure etenim

in to this; out of false zeal, said the lawyers, they insist 'that no defence should be made on behalf of people suspected of witchcraft, and that immediately after they have been arrested the court should proceed to cross-examine them sharply, regardless of anything that could be alleged in their favour'; 'much too much fuss was being made, all sorts of obstacles were studiously thrown in the way in order to prevent the witch-trials, instead of forthwith summoning the executioner and his implements on the score of information obtained from the witch's accomplices or of other indications!'

Torture, moreover, lasted much more than an hour. 'Most often it happened that a person not at all deeply implicated was treated several times over to the Boot, racked for six, eight, ten or twelve hours on end, clad in the "Black Shirt," to which was fastened a crucifix, scraped about the head, beard, armpits, and privy parts, burned with lights or seething pitch, the torture being, quite unlawfully, begun anew the next day.'[1]

An appeal to Delrio would have been well-placed at such times, especially as he urged on the judges not to devise fresh ways of torture, not to tear the limbs of the accused, but to confine themselves to binding with cords, pouring cold water on the bare back, hanging weights to the body, and, as the best and surest means, depriving the accused of sleep; at the very most torture was only to be repeated three times.[2]

naturali cautum est, ut, qui per se nequit, possit se per alium defendere; sagae plerumque sunt illiteratae, nec se norunt defendere, ergo debent per alium defendi, alioquin illis indirecte tolleretur defensio, quae nulli tollenda,' &c. *Disqu. magicae*, lib. v. quaest. 38.

[1] Leib, *Consilia*, 62, 66 ff.

[2] Lib. v. sect. 9.

Of the significance of such views as opposed to the tortures generally inflicted at witch-trials the Protestant theologian, John Matthew Meyfart, is a classic witness. He was born at Jena in 1590, and he tells of the torturings of witches he had witnessed as a youngster. 'In my youth,' he says, 'I was present on different occasions at trials by torture, and saw the sad spectacle with my own eyes. Oh, dear Christians, I have seen the executioners and the torturers treat the noble human body, in which even the angels also delight, in so abominable a manner that the very devil might have shed tears at seeing how greatly men surpassed in the fiendish art the demons of hell. I have seen the way in which they have mangled and smashed to bits the solid human frame, how they tore the limbs asunder, forced the eyes out of the head, &c., &c. I have seen how the executioners scourged with whips, flogged with rods, tortured with screws, stuck in nails, hung on heavy weights, bound with cords, burnt with brimstone, singed with torches. In short, I can witness, I can tell, I can complain of the way in which the human body has been desecrated. It surprises me indeed that so many benches of magistrates, faculties, universities, governments, and law-courts, should so lightly have tolerated such torture of poor prisoners: it would be well if nobody, be he doctor, licentiate or magister, should be allowed to pass such sentences before having seen such piteous misery with his own eyes.'[1]

Most important of all is one dictum of Delrio which was but rarely attended to in judicial practice.[2] The

[1] Meyfart, 466 ff. See above, p. 191 ff.

[2] ** Janssen also quoted the following statement of Delrio: 'If the accused does make a confession under torture, it goes for nothing, because

depositions of 'persons of ill-repute and of accomplices,' however great their number may be, is not sufficient evidence to warrant the condemnation of an accused person.[1]

extorted by force, and any judge who pronounces sentence of death on the strength of such confession is in the sight of God guilty of murder.' 'Quodsi reus tormentorum vi confiteatur, confessio erit nulla, quia vi extorta, et iudicium ex eo subsecutum nullum et sententia irrita. Et per consequens iudex talem supplicio mortis afficiens, homicidii reus est coram Deo.' In Janssen's Excerpts we are referred to lib. ii. 640, 19. But the passage does not occur at this place. Binz (*Joh. Weyer*, 2nd ed. p. 90, note; cf. p. 125, note) has in vain endeavoured to find the passage in the big quarto volume. I can only join in his wish that the origin of this passage may be established.

[1] 'Quantumvis multiplicentur depositiones personarum infamium et complicum, non est procedendum iudici ex his solis ad condemnationem.' 'Scio,' he goes on, 'contrarium communius teneri et in praxi obtinere saltem, ut poena puniatur extraordinaria,' but 'nunquam quae natura sua sunt dubia, possunt rem facere indubitatam.' Lib. v. sect. 5, 4. In view of all that Delrio says about torture, it is very surprising that Binz (*Joh. Weyer*, 88–89), in quoting Gödelmann's statement (see p. 341 ff.), 'Under no circumstances shall any evidential value be attached to confessions (of a witch) extorted by the sufferings of imprisonment, by the sight of the instruments of torture, or by torture itself,' should make the assertion: '*For such heresy*, then, Gödelmann is pitched into by his contemporary Delrio.' Delrio only inveighs (lib. ii. quaest. 16) against Gödelmann because he denied the reality of the rides in the air, and, if (lib. vi. cap. 3) he 'pitches into him' most fiercely, it is because Gödelmann had insinuated that the exorcists ought to be reckoned among the sorcerers. Gödelmann also declared the benisons, the chrism, and even transubstantiation to be sorcery. 'Against Lerchheimer (Hermann Witekind) also he (Delrio) inveighs here' (lib. vi. cap. 3), says Binz (p. 89, n. 1), further, 'without giving the reason for it.' This reason, however, did not lie in the fact that Lerchheimer had spoken out against torture, but that he, like Gödelmann, had declared exorcism to be mere jugglery and monkey-tricks, and transubstantiation a wizard's blessing (see Binz, *Augustin Lerchheimer*, 119–120). Abraham Scultetus also, in his *Predigten über Zauberei*, p. 13, termed transubstantiation 'a devilish abuse,' 'regular sorcery.' The Hessian Superintendent, George Nigrinus, in an article appended to his translation of Gödelmann's book (see above), said: 'the whole papacy reeks with ecclesiastical sorcery and the zealous papists, especially of the clerical caste, are more firmly held in Satan's power and dominion than ever the real sorcerers

If these suggestions and wishes of Delrio had been carried out there would not have been so many thousands of innocent people martyred and murdered, and witch-trials would not have multiplied *ad infinitum*.

When Weyer published his work in 1563, an abbot wrote to him that he had broken the ice and secured the unfortunate old women against frightful barbarity.[1] The exact opposite came about.[2] In the last third of the sixteenth century there began first in real earnest that frightful drama of witch-persecution and witch-burning which, for the suffering, misery and desperation it caused on the one hand, its superstition, senselessness and barbarity on the other hand, is without a parallel in the history of Germany.[3]

It came to be considered 'a solemn duty of Christian love and mercy, for the sake of frightening and warning the people, to keep them thoroughly informed every year how many witches and sorcerers had been seized, sentenced and burnt, &c.' Thus, for instance, a printer at Frankfort-on-the-Maine published twice in 1571 a 'Wahrhaftige Zeitung von den gottlosen Hexen, auch

were' (pp. 480–481). Delrio, on his part, as he said respecting Gödelmann, could see in such calumniating attacks only the 'imbecility of a disordered brain.' ** The clause, 'Under no circumstances,' and the statement, 'For his heresy with regard to witchcraft Gödelmann is justly pitched into by Delrio,' are repeated by Binz in the 2nd edition, p. 79. The passage, 'Against Lerchheimer also he inveighs here,' I am glad to find omitted in the 2nd edition.

[1] Quoted by Herzog in his article 'Hexen' in the *Enzyklopädie* of Ersch and Gruber.

[2] It is difficult to understand how Fischer (*Basler Hexenprozesse*, p. 4) can assert that, 'The judicial persecution of sorcery, which raged so terribly at the end of the fifteenth and the beginning of the sixteenth century, *underwent in the second half of the sixteenth century* a beneficial interruption owing to the religious movements with which the age was abundantly occupied.'

[3] Wächter, 100.

ketzerischen und Teufelsweibern,' who had suffered death by fire in Schlettstadt 'on account of their scandalous allegiance to the devil.' In 1576 the people were presented with 'a true history of the events of this year in the Breisgau, how in several towns and hamlets about 136 evil spirits have been caught and burnt.' Then followed a 'Veritable and terrible new broadsheet concerning the great rainstorms at Horb, and how afterwards several witches were burnt.' From Strasburg in 1583 another broadsheet made known how on October 15, 19, 24 and 28 of the past year 1582, in different places in South-west Germany, no less than 134 witches had been put in prison and burnt to death. Another newspaper announced from Osnabrück how in that town in 1588 '133 witches had actually been burnt on one day.'[1] An Erfurt printer, in 1591, reissued a rhymed version of this report, and added, 'another wonderful and amusing new song about the events of the present day.'[2]

[1] Weller, *Zeitungen*, Nos. 376, 461, 499; cf. 520, 572, 663. Weller, *Annalen I.*, Abt. ii. Nos. 231, 308.

[2] Weller, *Zeitungen*, No. 739.

CHAPTER VII

WITCH-PERSECUTION IN CATHOLIC AND MIXED DISTRICTS AFTER THE LAST THIRD OF THE SIXTEENTH CENTURY —ATTITUDE OF THE GERMAN JESUITS TO WITCHCRAFT PRIOR TO FREDERICK VON SPEE

ALTHOUGH the Carolina passed as law for the whole empire, King Ferdinand I. had nevertheless in 1544 issued for his Austrian hereditary lands a police ordinance in which he declared sorcery to be an iniquitous proceeding and a fraud; in 1552 he had again declared still more strongly that sorcery and fortune-telling were wickednesses which ought everywhere to be stopped, and that those who practised such things must be suitably punished. Of witch-persecution and punishment by death, however, there was no mention in these ordinances.[1] Ferdinand joyfully welcomed Weyer's attack on the witch-superstition. 'The praiseworthy action of this man,' he said, 'deserves not only that I should give it my approval, but that I should promote and encourage it with the whole weight of my imperial prestige.'[2] The Emperor Maximilian II., also, in this respect, an exemplary ruler, abstained from persecution of witches and handed over those guilty of it to public scorn and execration; he decreed in 1568 that they

[1] Soldan-Heppe, i. 408. [2] See above, p. 311.

were to be made to show off their arts before the whole people, to make themselves invisible or 'stiff,' and at the third offence they were to be banished from the land.[1]

From Vienna we have only isolated accounts of witch-trials in the years 1583, 1588, 1601 and 1603.[2] The first accounts of wholesale burning of witches are from Hainburg below the Enns in 1617 and 1618. As many as eighty witch-women, says a 'Warhafftige newe Zeitung' of 1618, were burnt there and a much larger number were confined in prison; amongst the confessions of the condemned was one to the effect that by witchery they had sent 'forty-five bowls full of fleas into Vienna.'[3] As from Austria, so also from the Tyrol, only a few cases of witch-trials are reported in the sixteenth century.[4] In

[1] A. Silberstein, *Denksäulen im Gebiete der Kultur und Literatur* (Wien, 1879), p. 212.

[2] Schlager, *Wiener Skizzen aus dem Mittelalter*, ii. 48 ff. Roskoff, ii. 305. ** Concerning a witch-trial at Marburg in Styria in 1546 see R. Reichel in the *Mitteilungen des Histor. Vereins für Steiermark*, 1879, Heft 27, p. 122 ff. See also A. v. Jaksch, 'Uber steirische Hexen- und Zauberprozesse seit 1591 (to 1653)' in the *Karinthia*, Jahrg. 84 (1894), Nos. 1 and 2.

[3] *Warhafftige newe Zeitung*, &c., Vienna, at Gregor Gelhaar's, 1618. In a MS. of the Vienna court library, No. 13, 562, Fol. 5, the number of witches burnt at Hamburg in 1617 is given as seventeen.

[4] Rapp, 16 ff.; ** 2nd ed. 58 ff. Not till the end of the sixteenth century did judicial proceedings against sorcerers and witches in the Tyrol begin to be more frequent and more severe. The Kitzbühel witch-burning of 1594 has been described by Obrist in the *Tyroler Bote*, 1892, Nos. 219 and 220 (September 26 and 27), from the confessions in the original at the Innsbruck Ferdinandeum in the *Bibl. Dipauliana*, No. 292. Concerning witch-trials in Vorarlberg, in 1597, see Beck in the *Anzeiger für Kunde deutscher Vorzeit*, 1879, No. 12, p. 345 ff. Very interesting here is the 'Auszug der Ambts-Raittung' (Rechnung: account) of the years 1596–1597, 'Ausgaben auf Malefitz,' on which the editor remarks: 'When reading this entirely trustworthy calculation of inquisition costs, one cannot refrain from the horrible, ghastly thought, that possibly all these human

1568 a witch was executed in defiance of the express order of the Archduke Ferdinand II. that the case was to be first tried at Innsbruck. In 1573 a police ordinance, without mention of witch-trials, set a mere money fine on sorcery; later on there followed sterner enactments.[1] In the archdiocese of Salzburg a witch was burnt on May 24, 1594.[2]

From the Turmbücher (castle-books) of the town of Lucerne it has become known that there, in the years 1562 to 1572, no less than 491 persons were tried on the charge of witchcraft, but that most of them were let off; sixty-two were executed. Further witch-trials took place in the years 1575, 1576, 1577, 1578, 1579, 1580, 1584, 1587, 1588, 1594. Two of these witches 'confessed' that they had changed themselves into wolves and that the devil in the shape of a wolf had ridden with a witch over mountain and valley; another witch had 'for the third time assumed the form of a hare and had trotted about in the village of Hochdorf.' They said that the devils appeared now as black birds, now as black men with long beards and hoofs like a horse or goat; even in prison they appeared before the witches; a sorcerer in Willisau carried on witchcraft with five evil spirits; one was 'Klaffer,' another 'Jöcker,' another 'Uffrure,' another 'Hurlipusch,' and the last was known as the murderer.[3]

In Bavaria the earliest accounts of witch-trials belong to the last quarter of the sixteenth century.[4] In 1590 the government issued a mandate to the

victims were not merely put to death to satisfy the frenzy of an erring, superstitious populace, but also to feed the avarice and cupidity of the magisterial personages.'

[1] Hirn, i. 514–516.
[2] Soldan-Heppe, i. 497.
[3] Schneller, 351 ff.
[4] Riezler, 164.

theological faculty at Ingolstadt, enjoining them, in conjunction with the lawyers, to draw up a learned memorandum on the nature and doings of witches, and at the same time to compose in the German language an instructional treatise which might be used in the pulpit and the confessional, and which should serve for the eradication of the outrageous, preposterous sin of sorcery and witchcraft.[1] Still, in 1590, witches were burnt

[1] Prantl, *Universität München*, i. 402. ** The memorandum of the two faculties (in the acts of the Munich imperial archives on witchcraft) is dated April 28, 1590, and according to Riezler, p. 188, contains the following: The Bavarian judges must be admonished to study the witch-trials of the bishoprics of Augsburg and Eichstätt, and the literature on the subject, above all, the *Malleus Maleficarum* and the book of Binsfeld. Taking their stand on the *Witches' Hammer*, 'the professors urge that persecution of witches be carried on with zeal and severity, for it is not credible that Bavaria should be exempt from this evil, which indeed is known to be strongly prevalent in the neighbourhood. By a ducal mandate, it should be enacted, on pain of punishment, that every suspicion of witchcraft be made known by accusation or denunciation. As to the way in which witchcraft was to be recognised, information is especially given by Bodin, Bartholomew Spina, and Binsfeld. Among the indications were included the witch marks which are generally found on their bodies, or the fact that a woman had threatened some one else with evil which had come to pass. In these trials the rack might be more speedily resorted to than in others; hesitating or contradictory evidence was sufficient warrant for its use.' The memorandum is signed by four theologians and four lawyers, among the former being the renowned Spanish theologian Gregory of Valencia, Professor at Ingolstadt till 1598, 'from whom we have further utterances on witch-trials which do not redound to his honour' (Duhr, *Stellung der Jesuiten*, p. 36 ff.). The fact that among the theologians who signed the memorandum there were two Jesuits is sufficient warrant for Riezler to give expression to the surmise, based not on facts but on his own subjective notions (p. 189), that 'Jesuit influence was very probably exercised from another quarter also, both on William V., and, later on, on his successors, though from the nature of the case it may never be possible to establish this definitely. Both princes had Jesuits for their confessors.' On the other hand Duhr, *Stellung der Jesuiten*, p. 35 ff.: 'Witch-trials did not by a long way reach the same height of ferocity in Bavaria as in other places, although Bavaria was ruled by the most pious prince of his time, William V., over whom the Jesuits exercised immense influence. Besides

in Ingolstadt after having first been strangled.[1] In the same year in Munich three widows and one spinster were burnt; one of the condemned deposed that, in confirmation of her promise, she had given the devil not only her left hand but a piece out of the left side of her body, which he had cut out himself.[2] From Aufkirchen in 1583 there had been circulated a 'Kläg-liche neue Zeitung,' with an account of 'how a rich burgher named Wolf Breymüller had given himself up to the evil one and had killed twenty-seven people by poison.'[3]

When in 1589, in the lordship of Schongau, where devastating cattle-plagues had raged, a general complaint arose that the 'monstrous sin of sorcery was spreading more and more to the ruin of the inhabitants, measures

which, the worst witch-trials raged in districts where the Jesuits had no settlements, as in the Schongau and in Werdenfels.' See further in Duhr, *l.c.*, the chapter 'Hofbeichtväter und Hofprediger,' pp. 66–74. Among the court clergy also and the Jesuits, who officiated as such, there were differences of opinion, and many of them come undoubtedly under the reproach of Spee that, at any rate, they kept silence concerning the horrors of the witch-trials instead of protesting against them; some of them also advocated persecution. But in view of the large number of Jesuits who took the opposite standpoint, it is not permissible to make the Society responsible for the attitude of the few who held different views. Duhr, *l.c.* p. 78. Though Riezler says that the Jesuits began the witch-trials so late in Bavaria only because they did not dare to show their hand before, and because it would have been unwise to add witch-trials to the many innovations (Riezler, 148), there are no credible historical facts to support this assertion. In the second half of the reign of Albert V., for instance, there was not the slightest reason why the Jesuits should not have 'shown their hand,' for they had no reason to dread either the sovereign or the populace, and as regards 'innovations,' heretics had been burnt in Bavaria before the coming of the Jesuits, but not after it. As to whether the Jesuits were unpopular in the first decades, this can indeed easily be stated, but not easily proved.

[1] ** Riezler, 192. [2] *Oberbayerisches Archiv*, 13, 69.

[3] Weller, *Annalen I.* 253, No. 288.

were at once instituted against witches.' Each witch always pointed out fresh ones—one fortune-teller indeed mentioned seventeen other people—by whom she had been accompanied to the devil's dance and the devil's banquet. The Schongau executioner was so experienced in the matter that he could 'detect a witch or a sorcerer in an instant without the help of torture.'[1] Torture, however, afforded still stronger indications. Hans Friedrich Hörwarth von Hohenburg, town and provincial inquisitor of witchcraft, was spurred on in his official zeal by the following injunction of the Bavarian privy council in Munich: 'We fear that there may be other and far graver misdeeds than those they have confessed, which the devil would not like to have disclosed; it is therefore our desire that you should show more earnestness and severity in your proceedings.' Duke Ferdinand, the feudal lord of the town and the court of justice of Schongau, had enjoined on the judge to dispatch by messenger a copy of the report on each case to the jurists of Ingolstadt, that they might advise and help to draw up the sentence, for which they were to receive their due stipend. This was to be done that no injustice might be suffered by the women, and that the Duke himself might be rid of the responsibility. But Hörwarth does not appear to have needed any advice, for there were all too many serious grounds known to him for condemning the witches. For instance, one of them was under suspicion of having produced the hail of the previous year; for 'in the place

[1] ** Concerning the rôle played in the Bavarian witch-trials by the Schongau executioner Jörg Abriel as an authority for detecting the marks of witches, see the information given by Riezler (p. 172 ff.) from the Acts of the Royal Bavarian Archives.

where she had lived before, everybody was delighted at her going away.' Further, 'she had bewitched a horse so that it had died; this had been deposed by a soothsayer.' Further, she used to pick up the dung of horses in order 'as was said' to bewitch the horse's owner with it. What need was there then for seeking a further opinion from the Ingolstadt jurists? A second witch was condemned on equally weighty grounds. 'She had been seen during a heavy thunderstorm standing out in her courtyard.' In towns where she had formerly lived, 'she had often passed through the clock-tower; the pastor himself was said to have drawn her husband's attention to her wicked vocation.'[1] 'About sixty-three witches,' the judges finally announced triumphantly to the Duke in 1592, 'in about two years, had been executed at Schongau, to the great glory of the Duke at home and abroad—many of them, he declared, amid loud thanks to God for a magistracy which had so diligently hunted out secret vices and transgressions.' Nowhere had 'such justices been seen as at Schongau.' Although Ferdinand's brother, Duke William of Bavaria, had also instituted similar witch-trials at Abensberg, Munich, Tölz, and Weilheim, these were soon over and could not compare with the Schongau trials, which were 'the work of a righteous tribunal. In order that future generations should retain the memory of these "righteous" proceedings "the administrator of divine justice" requested that for the honour of the magistracy a lasting monument of the trials should be erected in some public place in Schongau.' The

[1] Her, 370–373. Concerning the diabolical 'stigma' the following resolution was passed at the assembly of the princely councillors at Munich: 'Stigmata, optimum indicium, ad torturam satis.' Her, 358.

proposal, however, was not listened to by Ferdinand.[1] The survivors of the victims executed were obliged to pay the costs of the protracted trials. For thirty of these the sum amounted to 3400 gulden, at a time when a cultivated field could be had for 10 gulden and as much land as a man could plough in a day for 6 gulden. In the case of one witch who died in prison her confessor, the Dean of Schongau, and the hospital chaplain begged that her corpse might not be burnt, as she had recanted. The clerical petitioners, however, received from the privy council at Munich a sharp reprimand with the threat that in case of a repetition of their request they would be reported to their Ordinary, 'because, even if recantation had been made, it was not for them to judge what force it would have in this crime.' Even the dead body of a peasant who had died six months before, whom his tortured and executed daughter had denounced as equal to herself in crime, had to be removed from consecrated ground at the request of the inhabitants of the village.[2] A frightful case occurred at Munich in 1600. From a married couple and two sons torture had wrung the confession that they had 'bewitched and killed 400 children, made 58 persons crooked and lame, and perpetrated many other atrocities.' In punishment the father was stuck on a red-hot spear, the mother

[1] Her, 379–380.

[2] Her, 356–380. In Westenrieder (*Beiträge*, iii. 105, 106–107) occur the brief notices: 'In 1590 a few witches were burnt at Schongau, much wept over and lamented but sentenced according to their deserts. In 1591 two witches were burnt at Weilheim as they well deserved.' ** Concerning the contemporaneous witch-trials in Freising see Riezler, p. 174 ff. The corpse of a woman who died in prison was burnt. How many executions took place in Freising at that period cannot be ascertained from the Acts.

burnt on a red-hot iron chair; the sons were pinched six times with red-hot tongs, their arms were crushed under the wheel, and they were burnt to death. The youngest son, who was found to be innocent, was compelled to witness the execution of his parents and brothers, 'in order that he might be warned to keep out of such doings.'[1]

In the lordship of Werdenfels, comprising only a few villages and hamlets, forty-nine women died at the stake between February 1590 and November 1591. 'If all those who are denounced,' wrote the warder Caspar Poysl on January 18, 1592, to the government, 'were to be hunted down and tortured, I doubt not but the greater number of women in the county of Werdenfels would come under a like suspicion of witchcraft and would have to be put on the rack, a course which according to my poor understanding would scarcely be politic and would be highly ruinous to the country.' A bundle of acts relating to the trials which lasted from 1589 to 1592 is labelled as follows: 'Herein is the bill of costs of all that was eaten and drunk whilst the women were imprisoned in the castle at Werdenfels, and afterwards burnt as witches.'[2]

[1] Sauter, 37. ** For numerous other cases of witch-trials in Bavaria at that time see Riezler, 197 ff. Riezler's assertion (pp. 144, 203 ff.) of a connexion between the witch-trials and the Catholic restoration is denied by Duhr (*Stellung der Jesuiten*, p. 77). In the *Histor. Zeitschr.* 1900, 84, 247 ff., Riezler said subsequently that 'he only spoke of an indefinite connexion' and did not intend to insinuate that the trials had been used 'as means towards the ends of the Catholic restoration,' nor did he entertain the idea 'of a general or systematic connexion between the Catholic restoration and witch-persecution.'

[2] v. Hormayr, *Taschenbuch für* 1831, p. 333. ** Fuller and more accurate information concerning the Werdenfels witch-trials is given by

Ghastly indeed were the witch-immolations in the dioceses of Würzburg and Bamberg after the second decade of the seventeenth century.[1] In Gerolzhofen in the Würzburg district the number of executions amounted in 1616 to ninety-nine, in the following year to eighty-eight.[2] A 'Hexenzeitung' (witch broadsheet) of the year 1616 gives fuller details. Four women, who had found their way into the cellar of a day-labourer (probably in a very natural manner) and had drunk up his wine, were quickly turned into witches on the rack and deposed that 'in the Gerolzhofen district there were not sixty persons above the age of seven who were unversed in sorcery. First three, then five, then ten women, then three men and eleven women were arrested and all of them burnt. Then twenty-six more were likewise imprisoned, and first strangled and then sent to the stake.' As the statements of the earlier lot were always confirmed by the later ones,

Riezler, pp. 175–185, from the Acts now belonging to the collections of the *Histor. Vereins für Oberbayern*. A Kelheim formulary for the questioning of witches is in the *Zeitschr. für deutsche Kulturgeschicht*, (Jahrg. 1858), pp. 521–528.

[1] ** Concerning numbers of witch-trials followed by executions in the diocese of Eichstätt, see Riezler, p. 221 ff. For the trials in the principality of Pfalz-Neuburg see Riezler, p. 228 ff. 'This little land,' he says, 'was probably, comparatively speaking, more severely visited than was Bavaria.' He adds also the supposition that, 'As the persecutions were carried on with special zeal under the son-in-law of Maximilian I., the Count Palatine Wolfgang William, who had gone over to Catholicism and then with the help of the Jesuits carried out the counter-reformation in his territory, perhaps here, too, they may stand in connexion with the Catholic reformation.' With this supposition, however, the facts brought forward do not agree. The cases cited by Riezler belong mostly to the second half of the seventeenth century and to the eighteenth century.

[2] Jäger, 5–6. Very instructive as regards the whole question of witchcraft and the 'confessions' of witches are the extracts from the Franconian Acts contributed by Jäger, 10–72.

it became known how great was the multitude of the guilty ones and an ordinance was issued by the territorial lord to the effect that: 'Henceforth the officials shall every week, on Tuesday, except when high festivals occur on that day, light a fire for the witches, and burn each time twenty-five or twenty, but certainly not less than fifteen.' 'And this plan their princely graces desire to see carried out and continued through the whole diocese.' To this end, Counts of the hundreds (*Centgrafen*) were dispatched to Gerolzhofen with strict orders to start the witch-burning, the list of the persons suspected being placed in their hands.

These people then confessed so many extraordinary things, things that cannot be written and are not fit for the ears of the young to hear. The hostess at the 'Swan' confessed that she had disposed of numbers of people and that she had habitually given the musicians cats to eat instead of codfish, and mice and rats instead of birds. A midwife confessed that she had killed as many as 170 children, 22 of which were related to her. An old man confessed to having said that if he had not been arrested three days before he would have destroyed everything for twenty-five leagues round with hail and gravel-stones. 'They had gone to such lengths that the devil himself had at last appeared among them and forbidden their proceedings because, he said, his kingdom was diminishing, for people who were haughty in the midst of happiness turned to God in sorrow. As, however, they had not left off, he had almost thrashed to death some of them and treated them in such a way that for a considerable time they had not dared show themselves, and thus

it came about that several were revealed and their names written on the witches' register.' [1]

In Franconia, as elsewhere, every witch at the so-called 'gentle' trial, or while on the rack, was asked the following questions: 'Had she learnt sorcery directly from the devil himself, or from his mates; did she know any other witches or sorcerers; when had the devil solemnised his wedding with her; what was the name of this devil; had she had children by him; how often had she ridden on the fork and what persons had been with her at the witch-dances; how many tempests and hailstorms had she raised,' and so forth. Further, each one had to 'confess' whether she could change herself into a cat, or a dog or any other animal, how many children she had killed, cut up, eaten the flesh of, drunk the blood of, kept the legs and arms for purposes of witchcraft.[2] The seventy-year-old woman, Anna Ottin of Zeilitzheim, confessed that she had committed over 100 murders and begged that, as she was old and feeble, she might be allowed three days' respite, when she would tax her memory and tell of each separate crime in detail. 'This request was granted her, but on the third day when they wanted to summon her again she had died in gaol.' Another witch, who had been several times tortured but had always recanted everything after being set free, was finally, after still severer treatment, brought to confess that 'she had dug up the bodies of sixteen children, boiled them and made witch salve out of

[1] *Zwo Hexenzeitung, die erste aus dem Bisthumb Würzburg: wie der Bischof das Hexenbrennen im Franc'enlande angefangen, &c.*, Tübingen, 1616. See Görres, iv[b]. 643–644.

[2] See Jäger, 10 ff.

their fat; her own three children she had smeared so that they had become lame. She had always flown through the chimney to the dances, where the piper, sitting in the middle of the lime trees, had piped the tune, "Pfeifen wir den Firlefanz, den Burlebanz." Such dances took place four times in the year. On the Thursday, a week previous, she had been to confession and to Communion, but had removed the Blessed Sacrament from her mouth and hidden it in her bosom, afterwards allowing it to be subjected to indescribable indignities, &c., &c.'[1] The peasant Lienhart Schranz said in 1616 at Zeilitzheim, after an application of the 'Boot,' that the devil had repeatedly come to him in the shape of a woman and committed immorality with him; whenever he had ridden out with the devil on a stick, the devil had always sat in front and he himself behind; once, in company with the devil and several women, he had eaten fish in a cellar, the fish being quite putrid.[2]

In a chronicle of the family of Langhans at Zeil in Lower Franconia, it is related that, 'In the year 1616 and on St. John's Day they began seizing and imprisoning witches and evil spirits, and Elizabeth Bucklin, Hans Buckel's wife, was the first arrested. On November 26 nine women of the place were burnt here at Zeil as witches, this being the first burning. On March 6, 1617, there was another witch-burning and four were burnt. On April 13 Anna Rüthsin was burnt; she was the housewife of Paulus Weyer, who had hung himself in prison on account of sorcery. On June 26 another sorcerer and three sorceresses were burnt. On August 7 a witch or a sorceress died in prison, and

[1] See Jäger, 18, 22.

[2] Buchinger, 237–238.

was afterwards burnt. On August 22 they burnt here at Zeil eleven more witches who were executed by the new Master Endressen von Eltan (Eltmann). On September 27 they burnt an old sorceress who had died in prison from her great sufferings. On October 4 three evil beings or sorcerers were burnt and on December 18, six more.' [1]

With their temporal goods the 'witches' had to satisfy the cupidity of their judges. Prisoners from whom money could be got were treated more leniently; the poorer ones had to undergo the worst agonies of torture in order that the judges might be able to charge 'cauterisation costs.' The criminal judge Centgraf Hausherr von Gerolzhofen, who distinguished himself especially in this scandalous work, was taken off in 1618 to Würzburg, where he hanged himself in prison.[2]

As in the Würzburg district, so, too, in the diocese of Bamberg, after the second decade of the seventeenth century, witch-trials became appallingly frequent. Among the gruesome deeds of witches the Bamberg auxiliary bishop, Frederick Forner, includes especially the 'witch mass.' All the witches who were put to death in the Bamberg district in 1612 had 'confessed' that at their gatherings one of the devils went through a mock celebration of the sacrifice of the Mass, making an offering generally under a gallows-tree, to the chief of the devils, and handing round to the witches a host made of burning pitch and a chalice of liquid brimstone which burnt like hell-fire through their entrails.[3] In 1617, 102 witches were burnt alive in Hallstadt alone between August 16, 1617, and

[1] *Archiv für Unterfranken*, 10, Heft i. 143-144.
[2] Jäger, 28-29. [3] *Panoplia*, 13.

February 7, 1618, and thirteen of them on the same day.[1] Against a witch in Kronach who had been subjected in 1617, on the ground of quite trivial statements, to repeated torture of the cruelest description, the judge brought the charge, considered specially blackening, of having shed no tears during the process of torture and of having 'an ugly and horribly distorted face.'[2] At a Bamberg trial in 1614 a woman, sixty-four years old, after being subjected to the thumbscrew and the 'Boot,' was set for three-quarters of an hour on the 'Bock.' When she dropped down dead of the agony, the commissioners reported that 'the woman, questioned under the three grades of torture, had thoroughly purged herself of the imputation, and so fully established her innocence that, had death not thus overtaken her, she would have been instantly acquitted. The poor woman was therefore to be allowed Christian burial, and in order to ward off public talk a certificate was to be given to her husband and children.'[3] This certificate was to be an atonement for the 'legal murder'!

In the town of Ellingen belonging to the Teutonic Order, in 1590, no less than 1500 witches were burnt to death; and at Ellwangen,[4] in the one year 1612, actually 167, who were prepared for death by the Jesuits; in Westerstetten near Ellwangen 300 people were burnt within two years.[5]

[1] Wittmann, *Bamberger Hexenjustiz*, 177–183.

[2] Horst, *Zauberbibliothek*, ii. 218–232.

[3] Wittmann, *Bamberger Hexenjustiz*, 181.

[4] *Journal von und für Franken*, i. 294. ** See Beck in the *Württembergische Vierteljahrshefte für Landesgesch.* 1883 and 1884, vi. 247, 396 ff., vii. 76 ff.

[5] *Litterae annuae S. J. ad annum*, 1612 (Lugduni, 1618), p. 252, and *ad annum*, 1613–1614 (Lugduni, 1619), p. 242 ff.

These trials and executions lasted on till 1617, and then there came a pause, not indeed for lack of delinquents, but because the courts were tired of the business.[1]

Several other districts in the Breisgau, Baden, and Alsace 'were also in very bad repute on account of witchcraft and all sorts of devil's arts.'[2] In the Breisgau, so it was announced in a 'Neue Zeitung und wahre Geschichte' of 1576, 'in some towns and villages as many as 136 witches had been caught and burnt to death'; another 'Neue Zeitung' of the same year puts the number at fifty-five.[3] In Freiburg a female vagrant from Switzerland was executed in 1546; in 1599 the town tribunal condemned eighteen citizens to be

[1] Kropf, i. 65. In the trial for witchcraft to which the astronomer Kepler's mother was subjected (of which we shall speak later on) one of the accusers said that 'proofs against witches were not necessary because their iniquities were carried on in secret; in the Ellwangen district more than 100 witches had been burnt without the accusations against them being verified.' von Breitschwert, 113. At Dillingen in 1587 the Jesuits prepared seven witches for death. Agricola, i. 314.

[2] ** Hermann's pamphlet, *Die Hexen von Baden-Baden* (Karlsruhe, 1890), in spite of the sub-title, *Nach den Originalakten des allgem. Grossh. Landesarchivs in Karlsruhe*, has no scientific value whatever, as it gives neither quotations nor exact references to the minutes used, but simply works up the matter into the form of a 'spicy pamphlet' for the 'cultured classes.' By what spirit the author was influenced is clearly shown by his attack against 'Messrs. Janssen & Co.,' who are said to have asserted (p. 5) that 'witch-trials first became possible through Luther's ascribing so great power to the devil. Before Luther's time protection and consolation were found in the Catholic Church against Satan; but since the reformation had declared this church to be itself a stronghold of Satan, the ancient German fear of God changed into fear of the devil, and this new creed was the fruitful soil from which witch-trials sprang up.' From what source this 'historian' has derived his knowledge of Janssen, he unfortunately does not reveal.

[3] Weller, *Annalen*, i. Abt. ii. 244, Nos. 230 and 231. Weller, *Zeitungen*, Nos. 460 and 461. Goedeke, *Grundriss*, ii. 313, No. m.

burnt at the stake.[1] In the years 1557 to 1603, in the district of Ortenau, twenty-eight people were burnt, amongst them six in the hamlet of Appenweier on June 22 and August 11, 1595.[2] After the year 1597 witch-burnings began to be very frequent in the imperial city of Offenburg, where the magistracy were against their will forced by discontented burghers to official interference. 'The poor vine-dressers,' said a foreman of this guild once to the men, 'must insist on the removal of a certain number of women in order to effect a final riddance of caterpillars and vermin.' On one occasion some slight mischief done to a field was enough to cause disastrous persecution of the female sex.[3] In Ersingen and Bilfingen, where in the years 1573 and 1576 several witches were executed, the magistrate, the court, and the parish begged the Margrave Christopher of Baden, in the name of God, to rid them of the multitude of wicked women who were doing so much injury by laming and killing cattle. At Ersingen a midwife came under such strong suspicion of sorcery that no pastor would any longer baptise a child in her presence.[4]

In the little town of Waldsee in 1581 four witches

[1] H. Schreiber, 'Die Hexenprozesse zu Freiburg, &c.,' in *Freiburger Adresskalender*, 1836, p. 43 ff. Baader, *Gesch. von Freiburg*, ii. 70, 92. In 1613 a university student was denounced to the senate by a parish-priest as a 'Hexenmeister' (witch-master) and expelled from the university. Schreiber, *Universität Freiburg*, ii. 125.

[2] Volk, 23–24.

[3] Volk, 32–51. The clergy were in no way to blame for the persecutions. 'In our cases,' says Volk, 102–103, 'it was in no way the clergy who forced on the trials. Glaubensverfolgung never appears.' 'It may be safely asserted that at Offenburg there has never been any collusion between the leaders of the witch-persecutions and the clergy. If ever the latter interfered it was only with benevolent efforts to diminish the sufferings of the unhappy victims.'

[4] Pflüger, *Gesch. von Pforzheim*, 212.

were burnt on May 3 and 12, and five on July 5; in 1585 four were burnt on July 5 and three on August 21; in 1586, three on March 9, five on May 22 and eight in October and November.[1]

When in Schlettstadt, where 'in the memory of man and longer, nobody had ever been put to death for sorcery,'[2] four people were condemned to the stake in 1570, Reinhard Lutz thought it proper to recount in detail how a multitude of people, certainly several thousands, who had flocked thither from numerous quarters, witnessed this gruesome and terrible spectacle, and how busy and eager the executioner's boys had been in carrying bundles of straw, in stirring up the fire and in other services, so that to numbers of people it seemed as if the hellish volcano of which the poets write were flaming and blazing before their eyes. Afterwards the whole multitude of them, together with the learned gentlemen, both the burgomasters and the smug burghers, went home again, and in order that the sentence might be thoroughly well executed the bonfires were not allowed to go out until the victims had been reduced to powder and ashes. One of these witches had saucily invited the above-mentioned gentlemen to attend at the Last Judgment.[3]

[1] Haas, 84–87.

[2] ** According to J. Klélé, *Hexenwesen und Hexenprozesse in der ehemaligen Reichstadt und Landvogtei Hagenau* (Hagenau, 1893), p. 15, witch-persecution was not known in Alsace till the sixteenth century.

[3] In the *Theatrum de veneficis*, 1–11, Riezler, p. 144, supposes that Reinhard Lutz was Protestant pastor at Schlettstadt, but he has here quite overlooked the fact that, according to Paulus (R. Lutz in *Diözesanarchiv für Schwaben*, 1895, No. 6), Lutz was undoubtedly the Catholic priest at Schlettstadt. Lutz, however, as Paulus has again recently pointed out in the *Katholik*, 1900, ii. 470, is an example of the influence which Luther's *Table Talk* had even in Catholic circles. At the very beginning of his

During the years 1586–1597 thirty-seven witches at Rufach and about two hundred at St. Amarin were led to execution.[1] In the registers of baptisms and deaths of the Protestant church at Buchsweiler there are some still unprinted reports of witch-trials which took place there in the years 1569–1609.[2] A chronicle of the little town of Thann tells that 'In the winter months of 1572 they burnt here four so-called witches, and executions of this sort went on till 1620, so that within forty-eight years in this place alone 152 people, partly of this town and partly from the surrounding districts, were arrested, tortured and burnt to death, some with, some without, any penitence. Of all these only eight were men. During this period executions of this sort became so common that, in Alsace, Suabia, and the Breisgau alone, 800 persons were burnt to death, and it almost seemed as if the more such witches and sorcerers were burnt the more fresh ones sprang up from their ashes.[3] In the one year, 1608, from May to July, seventeen witches were burnt at Thann. Not seldom from five to eight were sent to the stake in one day; amongst them were aged women of ninety-two and ninety-three.[4]

Many of the condemned while on the way to the place of execution were at every 100 or 1000 steps tweaked with red-hot pincers, or they were fastened to the tails of wild horses and thus dragged along to the stake.[5]

pamphlet Lutz quotes a passage from the *Table Talk* in which the Wittenberg innovator says that 'it is just that witches should be punished in body and life.'

[1] Reuss, *Justice Criminelle*, 268; cf. Reuss, *La sorcellerie*, 11.

[2] Contributed by Fr. Lempfrid.

[3] Stöber, 307–308.

[4] Reuss, *La sorcellerie*, 90, 192–194.

[5] Stöber, 280. Reuss, *La sorcellerie*, 117, 192.

Just as the executioner Remigius, from Lorraine, could tell from his own experience how even children at the ages of seven to twelve were often instructed in all the arts of sorcery,[1] so, too, in Alsace was the same experience met with. At Amanweiler in 1572 an eight-year-old child, and at Colmar in the same year a girl of twelve 'confessed' to having done very serious damage by their magic arts.[2]

One of the most notoriously ill-famed judges, the

[1] See above ,p. 400.

[2] Reuss, *La sorcellerie*, 80. 'Such young witch-fry as this carried on its devilish work almost everywhere.' At Hildesheim in 1615 a boy was burnt who 'confessed' that he had assumed the form of a cat; and a girl who, by anointing herself with a devil's salve made of the corpses of children, could render herself invisible. *Neues vaterländ Archiv.* (Jahrg. 1825), vol. ii. 272. *Zeitschr. des Harzvereins*, iii. 323. The Cronstadt pastor Marcus Fuchs recounted with horror how in 1615 a girl of from 10 to 12 years old raised a hailstorm, and on being asked by her father from whom she had learnt such an art, mentioned her mother as her instructress. The father himself handed the culprits over to justice and both of them were burnt to death, besides a great multitude of magicians and witches, 'whom the mother and daughter had denounced as their accomplices in a criminal attempt to destroy the whole of Hungary and Transylvania by hailstorms.' 'Thus through the depositions of this girl an unspeakable calamity was averted, for had the matter not been discovered, in a short time,' so the narrator declares, 'there would not have been an atom left of all the crops, fruits, and vines in Transylvania and Hungary.' Müller, *Beiträge*, 32. When, in 1595, at Utrecht a girl of 17 was burnt as a witch, her three brothers, aged 8, 13, and 14, were obliged to be present at the execution as accomplices in their sister's guilt, were birched till they bled and then put in prison. Scheltema, 255–256; Bekker, iv. 235. ** Riezler says (p. 202): 'Among the accused at a trial, of which the minutes are extant among the acts of the Ingolstadt Stadholder (in the Munich imperial archives), were a girl of 12 and a boy of 9, the children of a soldier in the Ingolstadt Lifeguards and of a witch who was executed. By birching them it was elicited that they could ride in the air, that they had learnt it from their mother, that each possessed his or her own fork, and each smeared it for him or herself. As, however, the fuller statements of these two children did not in the least tally, distressing confusion and perplexity arose in the college of judges.'

'Malefizmeister' Balthasar Ross, in the diocese of Fulda, mentioned by name 205 people whom he had brought to justice in the years 1603–1605. He invented 'torments unheard of before,' and even such 'confessions' of the accused, as showed themselves in the course of the trial to be evident untruths and absurdities, were used by him as grounds for a death sentence. Thus one of the witches said on the rack that she had used one of the unbaptised children of a widow for her salve or ointment, and yet this widow had never brought a dead child into the world nor had any one of her children died before baptism. Secondly, 'she had killed her first husband by sorcery,' and yet it was known through the whole diocese of Fulda that this man had been killed five years before by a wagon loaded with wine barrels, which had gone over his body. Another witch 'confessed' on the rack that she had killed her two children by sorcery and caused the white horse of a peasant to die, and yet both her children were alive and no white horse had died. A third confessed herself guilty of the death of an innkeeper, and yet this innkeeper was standing alive before the court when this same false statement was read out prior to the execution. 'All three witches had to die on the ground of their statements.' Ross, moreover, carried on such an iniquitous trade in extorting money at the trials, that in 1606 he was thrown into prison, and after twelve years of terrible confinement he was beheaded in 1618.[1]

[1] Malkmus, *Fuldaer Anekdotenbüchlein* (Fulda, 1875), pp. 101–151. Cf. Soldan-Heppe, ii. 55–59. The name of this witch-judge was Ross, not, as generally written, Russ or Voss; cf. *Mitteil. des Vereins für Gesch. und Altertumskunde in Frankfort am Main*, vi. 36.

The earliest cases of witch-burning in ecclesiastical territories appear to have been in the archdioceses of Treves and Mayence.

A Mayence chronicle of 1612 cites John Adam von Bicken, whose tenure of office began in 1601, as the first archbishop who 'set about in good earnest to uproot the horrible abomination of sorcery and witchcraft, and caused numbers of people at Aschaffenburg and other places, who were infected with this vice, to be punished with death by fire.'[1] Nevertheless persecutions had already occurred earlier in the archdiocese, especially in the Mayence Odenwald, since 1593. At that time the whole population broke out in stormy agitation which had, no doubt, for its immediate aim the rooting out of all the 'supposed diabolical vermin,' but which was also connected with the discontent at the general miserable material conditions of the country. What the 'secular magistrates' were chiefly bent on in this persecution of witches is seen from the following order issued by them: 'people were not to make so much fuss, but above all to confiscate the property.' Hence a curious complaint: 'If everything is taken away from the people,' said two Mayence noblemen, in a petition addressed to the Elector concerning the behaviour of these officials, 'nothing will be left over for us (the nobles).' The whole body of burghers of the town of Buchen sent in to the territorial lord a petition drawn up by the notary of Baron Hans von Rüdt, begging that 'the dear ruler appointed by God, and gifted by God with a keen understanding,

[1] *Meyntzische Chronick* (Franckfurt, at C. Corthoys's, 1612), p. 141; that '1601' should be read there instead of '1604' has already been remarked by Stieve (*Die Politik Bayerns*, ii. 680, n. 1).

would decree salutary punishment against the sorcerers who were given over to Satan incarnate.' In proof that such people were present in large numbers it was stated that 'a gate-keeper had heard in the suburb a noise of jumping and dancing, and such an uproar as though all the pots and pans in the place were being smashed up, and then a terrible rainstorm had followed; a burgher who was coming out of a public-house at midnight had seen everything dancing around him, and a multitude of devilish wizard-fry in human form, clad in black, dancing and jumping about in the street, and it was Satan himself who, in defiance of all the decrees of ecclesiastical and secular rulers, had organised all this commotion for no other purpose than to augment his kingdom by means of such damnable pleasures.' Thereupon followed, forthwith, imprisonment and torturing of 'witches.' One of them was accused of having bewitched a fiddlestick into a cow. Those who would not 'let loose with their speech' were, according to the orders of the Mayence magistrates, 'first to have screws and thumb-irons applied to them, and then to be tortured with other instruments; as, however, in all probability, these people had invisible spirits with them, and were incited by the wicked enemy, ecclesiastics were to take measures against these devilish misleaders.' When the chief official reported one day that he had had 'five more burnt,' he was praised by the magistrates for his zeal, although he had not once mentioned the names of the unhappy victims.

In 1602 there arose an uproar in Buchen in which two women suspected of witchcraft were seized by the populace and maltreated and dragged off to the town hall. As the magistracy did not comply with

the request that they should be burnt, but contented themselves with throwing five of the ringleaders into the tower and sentencing them to pay a heavy fine, an urgent petition was addressed to the Elector, with the most serious complaints against the magistrates, and imploring the destruction of 'the horrible tyranny of Satan.' The Elector, however, did not attend to the petition but, on the contrary, gave orders that the burghers who had brought the document to Mayence should be put in custody and made to swear that they would not move in the matter again.[1] At Miltenberg in the years 1615–1617 a witch-persecution was set on foot.[2]

In 1603 there appeared at Frankfort-on-the-Maine a 'Wahrhaftige Zeitung' about several witches who had lately been burnt in the diocese of Mayence, and all the harm they had done and 'confessed to.'[3] 'The terrible multitudes of witches,' wrote the Jesuits from Aschaffenburg in 1612, 'fill all here with horror'; many of them had been stirred to repentance by the zealous exhortations of these Jesuits. The Elector prescribed a three days' fast and a solemn procession in order to avert all these abominations.[4] For the Lohr district the secular magistrates of Mayence had decreed in 1576 that 'henceforth no more women were to be imprisoned as witches without the government having first been informed of the nature of the accusation.' No more arrests of witches occurred till 1602, but in 1611 'seventeen were brought before the court.'[5]

[1] E. Huffschmid, 'Zur Kriminalstatistik des Odenwaldes im 16ten und 17ten Jahrh.' in the *Zeitschr. für deutsche Kulturgesch* (Jahrg. 1859), pp. 425–432.

[2] Diefenbach, 104. [3] Weller, *Annalen*, ii. 446, No. 658.

[4] *Litterae annuae S. J. ad annum*, 1612 (Duaci, 1618), p. 348.

[5] Diefenbach, 107.

From Stockum, in 1587, two women suspected of witchcraft were brought to Mayence; the one endured the agonies of torture and was sewn up in a sack, the other confessed to every charge and was packed alive in a barrel, and then both of them were burnt. In Flörsheim and Hochheim also, later on, the authorities proceeded to eradicate sorcery; Hochheim for this purpose collected, in 1618, 2000 gulden from the convent of St. Clara in Mayence.[1]

At Oberursel in the Taunus on February 9, 16, and 17, 1613, several witches were sent to the stake.[2]

In the archdiocese of Treves a diocesan synod of 1548 decreed that 'the officials should institute careful investigation into the proceedings of those soothsayers and sorcerers who renounced the worship of the true God and gave themselves up to the hallucinations of the lying spirit of hell'; those who were guilty in this way, and who after due admonition did not change their minds, were to be put under the ban of the Church and to be kept in prison until 'they had been delivered from the influence and delusions of their instructor the devil.'[3]

[1] Schüler, *Gesch. der Stadt Hochheim am Main* (Hochheim, 1887), p. 135.

[2] Diefenbach, 111. From Spires, Harster (*Das Strafrecht der freien Reichstadt Speier*, p. 74) knows only of a single case of witch-burning of the year 1581, while otherwise the town council never showed itself specially enamoured of superstitious ideas. 'It was reserved to the Reformation period,' says Harster, p. 247, 'to produce the first and to my knowledge the only scene of witch-burning that the ancient imperial city ever witnessed.'

[3] Coleti, ix. col. 1349[e]–1350[a]. Hartzheim, vi. 409. A provincial synod at Mayence decreed in 1549 that 'clergy who were guilty of this damnable intercourse with evil spirits were to be deposed, and if they did not repent and reform were to be kept in close imprisonment or else expelled (*prorsus abiiciantur*); laymen, if they remained obdurate, were to be punished with confiscation of goods, or perpetual imprisonment, or even in some

Down to the last third of the sixteenth century no witch-trials took place in the archdiocese. The first of which a detailed account has come down to us was enacted in 1572 at Kenn und Fell and was conducted by the bailiff of the imperial convent of St. Maximin near Treves. Three women were burnt to death.[1]

In the middle of the eighties so desperate a witch-hunt was organised that in two districts, so says report, only two women were left alive.[2]

severer manner.' Coleti, ix. 1437d. Hartzheim, vi. 592. The Cologne provincial council of 1536 ordained that no one was to be subjected to trial at law unless under a charge of 'legitima ac frequens infamia,' which charge proceeded, not from malicious accusers, but from just-minded ones; the accusers must furnish the proofs of their charges, or else they themselves must be punished. Coleti, ix. col. 1231a.

[1] Hennen, *Ein Hexenprozess aus der Umgegend von Trier, aus dem Jahr.* 1572. St. Wendel, 1887.

[2] Hennen, 3–4. ** Concerning the Treves witch-trials, cf. also Duhr, *Die Stellung der Jesuiten*, pp. 29–35, especially with regard to the attitude of the Treves Jesuits to the question. These Jesuits had for a time in their college a boy who, according to his own statement, had formerly served the sorcerers and witches as piper, and who now denounced many of them; by order of the General Aquaviva (October 1, 1587) he was no longer allowed to remain in the college (p. 32); p. 32 ff.: 'Other Jesuits also must have complained to the General concerning their associates at Treves, for on May 16, 1589, Aquaviva wrote as follows to the Provincial of the Rhine Province, Fr. Jakob Ernfelder: "We have heard that in the College of Treves, our Fathers appear to mix themselves up too much in the trials of witches and urge the princes to have them punished. This behaviour your Reverence must forbid and at the same time direct the Fathers as follows: 'It is permitted to give the princes general advice, to employ salutary measures against sorcery, which appears to be so universal in that neighbourhood, and in given cases to admonish the witches that they are in conscience bound, when questioned in court, to denounce their accomplices. For the rest they must not interfere in the *forum externum*; further they must not urge or insist that any of the witches should be punished. Finally witches must not be exorcised with a view to preventing them from recanting their confessions already made, for this is not our business.'" The Provincial answered that before receiving this letter

This persecution lasted many years, and here, as in the Bavarian lordship of Schongau, it was chiefly the result of desperation caused by serious cattle diseases, failure of crops, and other calamities which had gone on for several years, wars, plundering and devastation, which the Dutch and Spaniards carried on to such an extent that the people were altogether hopeless. 'Whereas among the people,' wrote an eye-witness, John Linden, canon of St. Simeon of Treves, 'it was believed that all these unfruitful years have been caused by the devilish wickedness of witches and sorcerers, the whole archdiocese rose up to root out the witches. This rising was encouraged by numbers of officials who looked to gaining money and wealth by means of the persecutions. Throughout the whole archdiocese, in towns and villages, accusers flocked to the courts, to the inquisitors, to the magistrates, judges, and executioners, and people of both sexes and in great multitudes were brought to trial and delivered over to death by fire. For who can escape who has once been accused? Magisterial persons also, in the town of Treves, were not spared. The mayor of the town himself with two burgomasters and a few town councillors and justices were burnt to ashes; canons of several chapters, parish priests and rural deans shared the same fate. At length the fury of the populace and the frenzy of the judges rose to such a pitch that there was not a creature left untouched by suspicion

he had already addressed a corresponding admonition to the Treves Fathers.' P. 33: 'At any rate it is clear from the letter of the Provincial that the Treves Fathers were divided in opinion on the question of witchcraft. The Jesuits of the Treves College, under the influence of the auxiliary bishop, their friend Binsfeld, were carried away in the same current—at least the majority of them, so it seems—whereas the Jesuits of the Coblence and Mayence College maintained a different attitude.'

of crime. Meanwhile the notaries, the actuaries and the innkeepers reaped a golden harvest; the hangman rode like a haughty lord on a proud palfrey, clad in gold and silver, and his wife vied with noble ladies in splendour of apparel. The children of the executed victims stole away in poverty; their goods were alienated. Farm labourers and vine-dressers were now lacking; hence unfruitfulness in the land. Never, so it is thought, had a pestilence raged so furiously in the archdiocese, or an enemy devastated more ruthlessly than this wholesale hunting down and persecution of witchcraft and sorcery. And yet there was plenty of proof to show that not all these people were guilty. The persecution lasted for many years, and some of the judges actually boasted of the number of folk they had sent to the stake and delivered to the flames. Finally, when in spite of the continuous burning the evil could not be overcome, definite laws were passed and enforced against the inquisitions and inquisitors and their greed of gain and their perquisites, and suddenly, as in war when the money is used up, the violence of the witch-judges ceased.' [1]

The list of a justice of the high court shows that from January 18, 1587, to November 18, 1593, in twenty-seven parishes in the neighbourhood of Treves, 306 persons of both sexes were put to death for sorcery, excluding those who were burnt in the town itself and its suburbs.[2] On the ground of mere utterances

[1] *Gesta Trevirorum*, iii. 53–54.

[2] Müller, *Kleiner Beitrag*, vii. Marx, ii. 111. ** The number given by Müller is incorrect, as Burr (21, note) shows. In his *Enchiridion* comprising the period from 1581 to 1588, Franciscus Madius says respecting a journey to the Abbey St. Maximin near Treves: 'This whole district, including the town of Treves itself, is notorious for sorcery. At one place I

of accused people about other witches or sorcerers, not only were several hundreds of wicked women brought to justice and to severe punishment, but also numbers of monks, deans, parish priests, and curates.[1] Even dead sorcerers—according to such 'statements'—after they had been a long time in the grave, appeared again at the witch-dances. Thus the parish priest, John

visited, the stakes showed that at least 100 men and women had recently been burnt alive for this crime; in this same town, whilst I was there, a very wealthy doctor of distinguished name, who had often acted as representative of the Bishop in the town, was imprisoned on a charge of sorcery.' Seibt, ii. 51. Duhr, *Die Stellung der Jesuiten*, p. 35: 'In 1596 the annual letters of the Jesuits tell of a place outside the town which was completely deserted because most of the inhabitants had been burnt to death' (Reiffenberg, i. 350). One man accused of sorcery first raised a series of charges against the Jesuits, and then denounced nearly all the judges as witches. This caused a huge outcry; each one asserted his own innocence. The public prosecutor had fresh judges secretly appointed in place of the suspected ones. The former judges now saw that they were in great danger and moved heaven and earth to establish their innocence. They succeeded in proving that the charges fabricated against the Jesuits were lies, and thus the ground was taken away from the other accusations. By persuasion of some of the Jesuits the calumniator confessed that the other charges were false. The judges, however, were so envenomed that in spite of the intercession of the Jesuits they condemned the man to the stake (*l.c.* i. 349). In the *Zeitschr. für deutsche Kulturgesch.* ii. 'Ergänzungsheft' (Weimar, 1898), Reichel (p. 4 ff.), gives the minutes of some witch-trials which took place in 1589 and 1593.

[1] Müller, *Kleiner Beitrag*, 8–10. Relative to this Hennen writes, p. 11: 'Let no one say that the clergy of the place might have intervened and saved the reputation of the women victims. Woe unto him who should attempt such a thing: no more convincing proof could he give of his own partnership in the guilt! How many worthy priests fell victims in this way to a frenzy which no language is strong enough to stigmatise as it deserved!' Nuns also were brought to trial at Treves. In 1610 seven nuns from a Flemish convent were condemned and hanged. *Messager des sciences historiques* (Gand, 1869), p. 347. (** According to Duhr, *Die Stellung der Jesuiten*, p. 95, the 'Father Pauli, rector of the Jesuits in Treves, who according to Müller, *l.c.*, was, with a few other Jesuits from Treves and Cologne, accused as a sorcerer, is a myth. There never was a rector of this name at Treves.')

Rau, so says a report of 1590, 'appeared after his death in a flame with a fiery tongue; he stood there and said nothing; many of them came back in this way.' 'A whole company of Treves sorcerers have their own special dances, special tables for meals, and special monks and priests.' 'The superior at Wiltingen,' near Treves, at a gathering of witches, 'sat on a golden seat'; another one also 'sat on a golden seat.'[1] The 'honourable and astute judges' were not in a position to calculate the number of witches from the 'statements,' for in no less than nineteen places, as they heard, nocturnal witch-gatherings were held.[2]

What verily unheard-of and extraordinary things about the devil were learnt from the statements of the accused may be seen from the accounts of two witch-trials. In the first it says: 'Delinquent stuck to it that at the witch-banquet and dance of June 24, 1587, two devils appeared, the one in a green, the other in a blue coat, spruce young gentlemen, but with goat's feet and claws; they were evidently drunk at the very beginning of the meal.' These two devils had engaged in a serious dispute as to whether Rhine wine or Moselle was the best; the witches had also been divided in opinion on the matter, and so parties had formed and a fearful amount of hubbub and fighting ensued, till one of the devils, Rufian by name, mercilessly cudgelled one of the witches to death with a cat's tail, on which up to that moment the fiddler had played the dance music: 'and no doubt it still lies there on the place of combat unless some one has carried it off.'

[1] *Protokollbuch of Klaudius von Musiel* (in the Treves town library), 290, 292, 301, 320. Cf. Müller, *Kleiner Beitrag*, 18, ** and Burr, 12.

[2] Müller, 13-14.

Finally, Moselle triumphed over Rhine wine, for the champion of the first 'remained at the dance, while the other flew away through the air with loud howling and leaving a horrible stench behind.'[1] Another time the devil who was present set himself against the proposal of the witches and sorcerers to destroy all the vines at the season of budding, and he also gave the reason for his opposition. Stephen Michels from Krames had said in 1587 that on the last Corpus Christi feast he had been at night on the Hetzerather heath, and that there were a great number of people there and that they had eaten and drunk, but that the wine was of no use. And he said that some people had come there in carriages, but that they had kept to themselves; and now some who were there would willingly have spoilt the wine but the Evil One refused his consent, for he preferred that 'the men should fill their paunches with wine and then thrash their wives.'[2]

Often enough it was brought home to the judges how little truth there was in their statements about these witch-gatherings. When Doctor Dietrich Flade, councillor and town magistrate at Treves in 1585 and rector of the Treves University, after having condemned many people to death as sorcerers, was at last in 1589 himself accused of sorcery and of taking part in the witch-dancing, and was brought to trial, he said in his answer, 'That I have been present personally or have ever been seen among such godless company, I cannot by God confess.' 'True it is that I have of late

[1] *Minutes of the trial of Anna Fiedlerin, who was burnt to death on September* 29, 1587; in the library of the parish priest Münzenberger, in Frankfort-on-the-Maine. ** It is now in the possession of the Jesuits at Exaeten.

[2] Marx, ii. 138.

gone through much sorrow owing to the deaths of my dear wife, brother, son-in-law, sisters, son, cousin and good friend, but that I have ever formed a compact with the wicked one or joined with such godless company to damage corn, wine, fruits and so forth, I declare by my God to be untrue. Whether, however, under such trials I gave the wicked one occasion, or whether he took it, to transfigure himself into my person, is, I declare by God, quite unknown to me. I am now troubled with all sorts of dreams as though I were at imperial deputy diets, at church fairs, at social gatherings; but that consciously or corporeally I have been present at such assemblies, I cannot in truth admit.' [1]

[1] Marx, ii. 106–107, 136–139. For Flade's trial and execution see Binz, *Joh. Weyer*, 106–110 (2nd ed. 113–117). The Treves justice of the high-courts, Nicholas Fiedler, who was imprisoned for witchcraft in 1591, was put on the rack seven times over until he ceased recanting his statements. J. H. Wyttenbach, *Trierische Chronik*, 1825, vol. x. 107 ff. ** The original minutes of the trials instituted against Flade, which were supposed to be lost, were discovered in 1882 by Dr. Andrew D. White and George L. Burr in the catalogue of the Berlin antiquary Albert Cohn. Burr intends publishing this important document as an appendix to the second part of the catalogue of the White library now in the possession of the Cornell university; preliminarily he has published an account of the life and fate of Flade, according to the new acts, in a little pamphlet already cited at p. 437, n. 2. From the minutes of the examination under torture it is seen that Flade sincerely believed in the reality of sorcery and witchcraft (Burr, 38–39). Deeply interesting are the remarks of the American researcher (p. 52 ff.) on the attitude of the Jesuits to this trial for witchcraft. 'The most important among the historians of witchcraft (Soldan-Heppe, ii. 33–37) accuses the Order of using witch-persecution as a cloak for the persecution of heretics and endeavouring to get those people burnt as witches who, according to the imperial law, could not be burnt for heresy, and he grounds this accusation to a great extent on the history of the Treves persecution. After exhaustive study of the documents I have as yet found no reason for adopting this opinion.' E. P. Evans, 'Ein Trierer Hexenprozess' (*Beil. zur Allgem. Zeitung*, 1892, No. 102), agrees with Burr, and says: 'Most of the victims of the witch-craze were people of whose Catholicity no one could have any doubt, and whom, as is emphatically stated in a

In order not to come under suspicion of witchcraft, people would neglect approaching the Sacraments; for witches, it was said, often go to Holy Communion in order to disgrace the body of the Lord. 'The people are rejoicing,' the Jesuits reported from Treves in 1601, after the general witch-persecution was at an end, 'that they can now undisturbed draw near to the table

pamphlet published by the Jesuits in 1588, the wily Satan misled into sorcery because he was not able to make them abjure the faith.' In 1591 again, Zandt drew the attention of the law-officials to the melancholy fact that 'the sin of sorcery had become so widespread that soon persons who had been most reputed for piety would be tainted with it.' Excessive piety, indeed, excited suspicion and easily led to accusations being lodged with the bench of judges. Flade, at any rate, remained a strict Catholic till his death, and never came under the slightest suspicion of heresy. That jealousy, envy and cupidity played a large part in his persecution and condemnation is highly probable. He was known to be a rich man (*homo copiosus*) and had the bad reputation of being a miser. We know that out of his considerable fortune a sum of 4000 gold gulden, placed at the disposal of the town of Treves, was, by order of the Elector, used for the maintenance of the parish churches, and that the 'Flade-foundation' formed for this purpose is still in existence. We know further that the municipal authorities did not lose sight of the rest of his possessions, but that in 1590, immediately after his death, they had a general inventory made of them. That they did not neglect to execute fiscal justice and to put the treasure obtained into the state coffer or the coffer of the territorial prince (between the two treasure-coffers there was no exact distinction at that time) appears to be beyond doubt. Also among the mayors and justices, and even the executioners, at least if we can credit the testimony of contemporaries, there were many who profited by this favourable opportunity for acquiring a small 'Pactolus' for themselves. Burr, 56–57. Riezler (p. 243) says: 'The reason of Flade's fate was that he espoused the cause of the witches and tried to put a stop to their being persecuted.' 'Neither in the article on Flade in the *Allgem. Deutsche Biographie*,' he adds in the note, 'nor in Janssen-Pastor, viii. 639 (earlier [German] edition), is there any mention of this, but according to the evidence of their kindred spirit Binsfeld, of the Jesuits Delrio and Laymann [or rather of the *Processus iuridicus contra sagas*, which Riezler believes to have been written by Laymann], the matter must be regarded as *probable*.' 'The minutes of Flade's trial discovered in 1882 by the American, George L. Burr, certainly contain nothing which justifies the assumption that Flade doubted the

of the Lord as often as they wish.'[1] 'In many places,' said a tract of 1603, 'things have come to such a pass that God-fearing Christians avoid divine service, hide their heads and guard against all show of devotion, so as not to appear more pious and devout than their neighbours, because otherwise they might easily fall under the charge of sorcery.' 'For the devil,' says the ignorant populace, 'incites his servants and agents to feign piety, to receive the Sacrament, to hide it in their bosoms and then disgracefully dishonour it; to go to church, but at the Mass and during the sermon to repeat to themselves: "Priest, you lie; all that you do and say is a lie; there is no God but my god the devil." And in many places pious priests must take good care not to offer the Holy Sacrifice every day, or if they do, to do it in secret, because otherwise they may very easily come under suspicion of sorcery. It is a craze beyond all crazes and

reality of witchcraft, and rather imply that the infirm old man did not die as a martyr to a principle. But Flade nevertheless appears through his judicial activity to have arrived at the conviction that the extorted denunciations of the witches could not be relied on, and to have combated witch-trials from this standpoint.' Concerning the reproach that the Jesuits used witch-trials as a means of furthering the so-called counter-reformation, see also Duhr, *Die Stellung der Jesuiten*, p. 74 ff. 'If this were true the Jesuits must have mutually hindered each other, and the generals especially at different times would have caused serious hindrances. Moreover, the Jesuits would certainly not have foregone a very effectual means for multiplying witch-trials, viz. the *Witches' Hammer*, and yet neither in the great printing-houses of the Jesuits, nor at their great publishers' did a single edition of the *Malleus* appear.' Further, they would have introduced the subject into their catechisms; this was done indeed by Luther, but not by Canisius. 'Finally, the Jesuits would have had to start witch-trials at a much earlier date. But in the districts where the Jesuits had any influence the great witch-trials did not begin till the restoration of the Catholic religion was almost or altogether an accomplished fact, as for instance in the Treves district.'

[1] *Litterae annuae*, 1601 (Antverpiae, 1618), p. 575.

there is nothing so universal and so harmful as this superstition, this fear, this horror of witches. And it is also wonderful to see with what courage, God-fearing, merciful priests—above all the Fathers of the Society of Jesus—associate in the prisons with these unholy spirits, administering consolation to them, praying with them, and even leading them themselves to the stake; indeed I have heard them with my own ears, in Treves and elsewhere, speaking words of comfort to these people in the name of Jesus Christ our Saviour.' [1]

Thus, for instance, the Jesuit, Lucas Ellentz, cathedral preacher at Treves, went into the filthiest prisons and watched whole nights by the imprisoned witches; shortly before his death in 1607 he told the Provincial, in answer to the latter's inquiries, that he

[1] *Prophezeiung aus den grewlichen Hexenbränden.* Pamphlet of 1603, pp. 3-4. Here, at pp. 2-3, we read: 'The high prelates will have to answer before God for not having restrained these past masters of incendiarism, and the clergy in the land say nothing, for if they speak they are themselves in danger of the rack, as experience has sufficiently shown, especially in the archdiocese of Treves, where they have been burnt alive as sorcerers by sentence of the judges.' 'The wickedness of men,' wrote the Protestant theologian Meyfart, 'has grown so great that when they observe that this or that person is regular in hearing sermons and receiving the Sacrament, joins in the prayers without contempt, they instantly conclude that "this or that person must be a sorcerer or sorceress." Scarcely anyone nowadays has the courage to say his beads whilst on his walk; if he does so he is at once put down in the witch-register. It 's enough to make any reasonable person's heart bleed to hear of such things as not even the Turks and the Tartars were capable of. I have been told by different students and travellers, adherents of the Augsburg confession, that when they go to Italy and from curiosity want to see all the churches and convents, but do not know exactly how to make the sign of the cross on the forehead, lips and breast, they are regarded as heretics and called to account, and how they then exonerate themselves by saying that in their Fatherland people who observe these ceremonies are taken for witches. The Italians laugh at the folly of the Germans and let the hypocrisy pass.' Meyfart, 403-404.

had accompanied at least 200 of the wretched victims to their death.[1]

Among the laws mentioned by the canon, John Linden, which were issued with a view to stopping the witch-persecution, we may notice especially an ordinance of the Treves Elector, John VII. von Schönberg, of December 18, 1591, which struck with terrible openness at the horrible abuses in the judicial system, and the methods used for extorting 'confession.' 'Daily experience,' it says therein, 'shows that all sorts of illegality and injustice go on both in the trials and the executions, whereby intolerable expenses have accrued to the poor subjects, so that many parishes and subjects, yea, widows and orphans, have been thrown into utter ruin.' 'At the instigation of one or another unruly subject,' parishes had banded together and formed innumerable committees, 'the members of which were sometimes in great measure disreputable people whose whole mind was centred in the public-house,' and these people went about at the expense of the parish spying out men and women suspected of witchcraft. When the trials took place, they were 'at the same time accusers, witnesses, and sometimes

[1] *Litterae annuae*, 1607 (Duaci, 1618), p. 681 ff. ** See also Duhr, *Die Stellung der Jesuiten*, p. 73. 'For the same benevolent activity Fr. George Richsteig († 1644), in Braunsberg has a name.' Hipler, *Literaturgesch. des Bistums Ermeland* (Braunsberg, 1873), p. 210. At Paderborn, where in 1597 a number of witches were burnt, the Jesuits 'interested themselves energetically in the poor victims' (*Litterae annuae*, 1597; p. 246). 'In the Ellwangen district in 1612, they accompanied no fewer than 167 to the place of execution' (*Litterae annuae*, 1612, p. 252). In the years 1613–1614, in the above place, two Jesuits had a superabundance of work of the same kind (*Litterae annuae*, 1613–1614, p. 242 ff.). 'In Fulda, in 1603 alone, sixty witches were burnt. The filth of the dungeons was unbearable; nevertheless the Jesuits did not desist from visiting the prisoners' (*Litterae annuae*, 1603, p. 517).

even assistant-judges, whereby justice was more hindered than furthered and the poor subjects driven to the direst extremities.' It had also come about that very often at the trials of peasants the executioner, in the absence of the justices, acted exactly as he pleased with regard to the examination under torture, and then made known to the people the statements of the victims. By this means more and more people became objects of suspicion: hatred and hostility were aroused; driven by fear even innocent persons sought to escape, and in this very way drew on themselves special suspicion. 'Other heavy expenses during the trials come from the inns and taverns where great, disorderly carousals, eating and drinking go on, in spite of the scarcity and badness of the times'; 'hence these are in future' to be altogether 'cashiered,' abolished and utterly forbidden. The judges were to have an eye to justice only, so that widows and orphans who were already in terrible distress owing to the execution of parents, friends and relations, 'should not be driven to complete beggary.' All leagues and committees formed in parishes for tracking out suspicious persons and instituting trials were forbidden; in no single point was the criminal ordinance of Charles V. to be departed from, 'without proper evidence duly established before the Inquisition and denounced by judicial sentence, no one was to be imprisoned, tortured or executed.'[1]

While the witch-fires were blazing in Treves, the Cologne town councillor Hermann Weinsberg wrote in his diary, 'Anno 1589, June 30, certain people are quite convinced that it was the witches or sorceresses

[1] Hontheim, iii. 170–173. Cf. Marx, ii. 111–113.

who caused last night's storm. For report was loud as to how the Elector of Treves, both within and without the town, had caught, burnt and hanged numbers of sorcerers, male and female, lay and clerical. Some declare that it is a legitimate and natural art with which great scholars and prelates occupy themselves, no worse perhaps than necromancy, or the black art, or suchlike, although this also is forbidden. As for sorcery I can give no opinion on the subject; I hear also that people are not all of the same mind about it. Some do not believe in it at all, and regard it as hallucination, dreams, madness, imposture, useless rubbish. Others, learned and unlearned, do believe in it, take their stand on the Holy Scriptures, and have written and published books about it, hold to it very strongly. God alone knows the rights of it all. There is no quicker or more effectual way of getting rid of old women and people one hates. *It is a wonder to me that there should be so many wicked women in the Catholic and holy archdiocese of Treves and in many other places, and that the devil should be allowed by God to carry on more sorcery there than in the town of Cologne. Who ever heard in earlier times of sorcerers and sorceresses being condemned and burnt to death in Cologne? Often a few people accused of sorcery have been caught and kept a long time in prison; they have been tried, but nothing definite has been arrived at. Can it be that there are not such efficient means for discovering the truth in Cologne as in other places? Still at the present day a poor old woman sits by day and night in the Altenmarkt in a shed by the fountain; they say she is a sorceress; they cast it in her teeth, she confesses it openly to the people

and asks to be burnt; she has certainly been a bad woman for many years, but why not let her be and say she is mad? There are many bad people who will denounce any woman as a witch and bring her into the people's bad books, and then the people regard her as a veritable witch; but if they so lightly, out of mere hatred or wantonness, bring their fellow-creatures into such ill-repute, they will have to answer for their sin heavily before God. I have often said to people when they have pointed with their fingers at a sorceress, "How do you know it?" "Why, everyone says so; the court has sentenced her." To which I answer: "If this had been said of you yourself, how would you have felt, what amusement would you have found in it? Charity is silent and takes from no one what cannot be given back again." I know well that there are numbers of bad, suspicious, low, refractory, immoral, mischievous women, but it does not follow that they are sorceresses; never, however, have I seen a woman who was able to make hares, dogs, cats, mice, snakes, toads, and so forth, to fly through the chimney on a goat, to slip into wine-cellars, to dance with devils; and that man who says he has seen such things may be telling lies. Leave God to judge.'

In Cologne, although the 'Malleus Maleficarum' had been first published and repeatedly reprinted there, very few cases of witchcraft occurred in the course of the sixteenth century, and the council contented itself with placing the witches in the stocks, whipping them round the ring, and expelling them from the town. It was not till after the beginning of the seventeenth century, and especially during the Thirty Years' War, when everywhere in Germany

faggot-piles blazed more furiously than ever, that in Cologne also they began to hand over people accused of witchcraft to the secular law.[1]

In the Lower Rhine district of Angermund, where at that time all the knights' properties belonged to Calvinists, there raged in 1590 a tremendous witch-persecution. Hermann von Burgel, treasurer of Heltorf, on June 23, 1590, exposed to his lord, William von Scheidt, styled Weschpfenning, agent at Burg, some of the doings of the witches and begged for administrative measures to be taken. 'If the witches,' he said, 'were left to do as they liked, and no resistance opposed to them, the devil would at last, God preserve us, gain the upper hand, and here as in neighbouring districts everything would go to the ground.' 'They ought to be treated after the fashion of the Frau von Rss,[2] who a few days before had had twelve women put to death on account of sorcery, and like those of Ossenbrock (near Hayn), where 150 people had been burnt for the same reason. Only in this way could the devil's kingdom be weakened or destroyed.' But, as I have remarked, the people who are driven away from other places on account of their mischievous arts are allowed to come and live here. If further crimes occurred he should not wish to remain any longer in Heltorf.[3]

From the district of Hülchrath the bailiff Heffelt, towards the end of December 1590, asked advice of an official as to whether he should comply with the petition of the relatives of 'a poor captive woman,' 'that he would

[1] Ennen, v. 756–763. ** Cf. the account of Weinsberg in Lau, *Buch Weinsberg*, iv. 68–70.

[2] von Reuschenberg?

[3] Copy from the original in the Archives at Heltorf kindly given me by the Archivist Ferber.

put their mother to death with the sword and then bury her in the earth.' That trial by water, which had long been forbidden, was still in use is shown by the statements of the bailiff: 'These prisoners sitting here I have examined, tortured and tried by water; two of them confessed their misdeeds circumstantially, but the third denied them persistently; she, however, like the two others, floated in the water.' [1] Duke John William of Cleves sent to the upper bailiff at Vlotho, Bertram von Landsberg, on July 24, 1581, a woman accused of sorcery, to be examined 'both by gentle means and under torture,' and with the injunction that 'in case of her still refusing to confess, she was to be subjected to trial by water.' [2]

In the southern districts of the Cologne electoral duchy of Westphalia, witch-trials did not begin till 1584, and were first started by one of the strictly Calvinistic squires. They raged with special fury in the years 1590–95. 'When in March, 1592, a number of witches had to be imprisoned and confessed to much wickedness and many murders, all the pastors were strongly enjoined and commanded to preach most vehemently from their pulpits against sorcery.' The trials went on till towards the end of the century, after which time accounts of them cease almost entirely.[3] A witch-trial ordinance issued for the duchy in 1615 contained the following injunction: 'The mayors and justices or notaries shall not acquaint the accused

[1] H. Giersberg, *Gesch. der Pfarreien des Dekanats Grevenbroich* (Cologne, 1883), p. 303.

[2] Horst, *Zauberbibliothek*, iii. 358–359. ** Concerning the witch-trials in the Lower Rhine district, see the interesting contributions in Kuhl's *Gesch. der Stadt Jülich*, 3 Teile, Jülich, 1891–94.

[3] Pieler, *Kaspar von Fürstenberg*, 98–102.

beforehand with any circumstances connected with the offences laid to their charge, but shall leave the culprits to relate these themselves.'[1]

In the Prince-bishopric of Münster the first witch-trial took place in 1565, but it ended by command of Bishop Bernhard von Raesfeld, with the acquittal of the accused, whose statements, wrung from her by torture, did not seem to the bishop sufficient for the establishment of her guilt; he demanded proofs on external grounds or from legitimate witnesses. The public prosecutor could, he said, only urge a death-sentence on definite proof that the accused had injured others in life or property by her arts. He admonished the officials never again to deprive men and women of their freedom on mere suspicion or the gossip of the people.[2] In the Münster district also it was not till the end of the century that trials began to multiply. In 1615, in Ahlen, a supposed sorcerer was burnt; he had stated that he himself and others had been able to change into werewolves, to fly away in the shape of black ravens, and so forth. A second 'deeply implicated sorcerer of Ahlen,' who had vainly been subjected to trial by water at Lembeck, died in prison in 1616. From the 'certificate of the notary' it was 'evident' that 'he had departed this life with horrible assistance from the wicked one; the throat of the dead man was quite black and had been twisted round; the breast and legs were scratched; he had not done all this to himself, but the devil had helped him.'[3] Over their unfortunate associates in many other lands and towns the accused in the Prince-bishopric had

[1] Rautert, 9.
[2] Niehues, 34 ff., 40 ff., 141-145.
[3] *Ibid.* 77-109.

at any rate this advantage, that the executioner did not conduct the process of torture solely at his own caprice, but that in the diocesan courts the rack might only be used with the express approval of the two chief attorneys, only according to definite rules and only in the presence and under the direction of the examining judge.[1]

A witch-trial at which the most frightful tortures were inflicted was instituted in 1572 by the adventurer Duke Eric II. of Brunswick-Kalenberg against his wife Sidonie, sister of the Elector Augustus of Saxony. In order to be able to enter the service of King Philip II. of Spain, Eric, burdened with debts, had exchanged his Protestant faith for the Catholic one, and then accused his wife of having, in order to avenge his apostasy from the Augsburg Confession, made a compact with the devil and hired four women to put him (the duke) to death by their magic arts. Sidonie took refuge with her brother; the trial of these four women, three of whom belonged to the nobility, began in the spring of 1572 in the presence of the duke and the most distinguished members of the nobility, at the Castle at Neustadt. The accused were fiendishly tortured. One of them, so says an account of the proceedings, was fetched away from a sick bed and 'first of all fastened hand and foot with big chains.' 'Then came the jailers and applied two large screws, and tortured her in such a way that the very stones might have cried out in pity; then she was stretched on the rack and put to still further agony. When she implored them in God's name to spare her, and asked what she had done to be treated thus, they

[1] Niehues, iv–v.

answered: What had she wanted to do to her gracious lord? She answered, "Nothing." But all her screams and entreaties were of no avail. She was stretched three or four times on the rack, and when the jailer stopped because he was tired, Jost von Münichhausen, Brandes an official, and the notary said he must begin again and tear her body in two. When she was taken off the rack, the jailers tore her clothes from her body, and actually rent her shift in twain. But she had confessed nothing, indeed she had nothing to confess. Then the executioners, quite breathless, were obliged to carry her back to her room. The next day, as soon as it was light, she was fetched again, and again asked what she had intended doing to her lord. She answered that she had never done any harm to an animal, still less to a human being. She was then placed once more on the rack, and in order to escape further suffering she was obliged to confess that she had had intercourse with the devil, and had been at the dance. Through the torture inflicted on her her brain became so deranged that for a time she could not rest, and was quite out of her senses.' All this did not satisfy the duke; 'in his personal presence she was subjected to further torture. The Elector Augustus of Saxony was at Gotha at the time of this barbarous proceeding; he was present at the trial, but hidden behind an arras. Eric stood in the doorway the whole time whilst the wretched woman was being tortured six times more; she was fetched from her room at intervals of two or three days, and laid on the rack like a miserable dog, and she hadn't a limb on her body that she could move. When for the sixth time she had been put to torture and

[1] See present work, vol. iii. 196 f.

still would say nothing against the honourable duchess, the executioners dragged her off; one of them struck her in the face and stuffed his dirty cloth into her mouth as though to suffocate her, and had a mighty business afterwards in resetting her dislocated limbs.'

The other three women were treated with equal brutality. They said 'yes' on the rack to everything that was suggested to them; of Sidonie's guilt there seemed no doubt. Nevertheless at the duchess's entreaty the Emperor allowed a revision of the trial to take place, minus torture. When the victims, among whom was a grandmother of eighty-nine, appeared before the imperial committee, they presented a lamentable aspect; their breasts were all torn, their veins starting out, their limbs contorted. By this second investigation their innocence and that of the duchess was established. 'On learning the news Eric became raving mad, so that no one dared approach him.' His delegates, however, announced on January 3, 1574, that 'the duke was greatly rejoiced that the innocence of the duchess had come to light.' [1]

At Braunsberg in the Ermeland, where, as far as can be established, sorcery, until past the middle of

[1] See the minutes of the transactions in Havemann's 'Sidonie, Herzogin zu Braunschweig, Mohlmann, Aktenmässige Darstellung,' &c., in the *Vaterländisches Archiv des historischen Vereins für Niedersachsen*, 1842, Heft iii. Nos. 11 and 12. See also, especially, Weber, *Aus vier Jahrhunderten*, ii. 38–78. ** And Oldecop's *Chronik*, 668 ff.; in the same place (566 ff.) there is also in print the great Hildesheim witch-trial of 1564, of which Seifart (*Sagen*, 195) remarks that it contains 'in a narrow compass and a small but clear and vivid picture, almost all that is known in the way of superstitious ideas, witches, and their intercourse with the devil.' Expansions and corrections of Havemann and Weber are supplied by the article of Joh. Merkel (based on unprinted acts), 'Die Irrungen zwischen Herzog Erich II. und seiner Gemahlin Sidonie' (1545–1575), in the *Zeitschr. des histor. Vereins für Niedersachsen*, 1899, pp. 11–102.

the sixteenth century, was only punished by ecclesiastical penance and banishment,[1] the first case of witch-burning in the Altstadt (old town) occurred in 1605, the first in the Neustadt (new town) probably in 1610.[2] From the criminal acts it comes out that the pastors, as also the Jesuits, took no further part in the persecutions than, in fulfilment of their duty, to prepare for their reckoning those who were condemned by the secular judges.

The witch-persecutions, in those Catholic districts where Jesuits were active, were sometimes laid by the Protestants to the charge of these Jesuits. A 'Wahre Abconterfeytung der schädlichen und erschröcklichen Sekte der Jesuiter' of 1595 accused the Jesuits of having acquired enormous riches, among other ways, by accusing wealthy people of sorcery. 'On the mere statement of childish old women, or of those who have perhaps given themselves up to the lying spirit, a liar from the beginning and the father of lies, they' (the Jesuits) 'without further inquiry arrest the supposed culprits, hurry them off to be racked and otherwise tortured, and wring out from them by torments the confession that they are sorcerers and that all the charges against them are true.'[3]

No proofs are forthcoming that accusations of this sort against the Jesuits have any foundation in truth. A still more common charge made by the Protestants against the Jesuits was that they 'themselves were closely connected with devilish arts and with witchcraft, since the devil himself was their father and chief instigator.'

[1] Lilienthal, 94.

[2] *Ibid.* 83–84. Down to the year 1772 there were altogether thirty-two people burnt to death for sorcery in the Neustadt.

[3] Quoted by Stieve, *Die Politik Bayerns*, ii. 337.

Just as the Augsburg preacher, Bartholomew Rülich, was pleased to say that the Munich Jesuits had murdered young women in their churches, and that in punishment for this, by order of the council, five fathers had been burnt with red-hot tongs, and had had strips of flesh cut out of their bodies—an incident of which in Munich itself, according to the statement of burgomaster and council, nothing was known,[1] so Hans Kuntz in 1579 circulated an equally true 'Newe Zeytung of a frightful deed committed at Dillingen by a Jesuwider and a witch.' A Jesuit, George Ziegler, had had dealings with a sorceress at the age of seventy-three, who had called up no less than thirteen devils; Ziegler had selected one of them and shut it up in a bottle. With the help of this devil he had raised storms of hail, thunder and lightning over the Lutheran lands and destroyed not only corn and vines, but also buildings, people and cattle. The sorceress, who had already practised these arts for many years, confessed that it was she who since 1576 had caused all the dreadful weather and winds in Alsace, and on the Neckar, the Rhine and the Maine, and that she had deluded, killed or given over to the devil numbers of women and children. When a servant in an inn at Basle where the Jesuit was staying opened the bottle, 'the devil flew out in the shape of a gadfly with a great deal of buzzing, carried off one of the windows with him, and bellowed all over the town like a great ox or bear.' The Jesuit was taken prisoner because the corpse of a merchant whom he had killed in the inn gave out a blood-token by which Ziegler's guilt was proved. The sorceress was to have been burnt at Dillingen, but

[1] See vol. viii. 317.

'two great ravens flew over her and carried her away up into the air in the sight of all the people.'[1] This terrible tale of the Dillingen Jesuit was circulated as far as to Pomerania; Joachim von Wedel marked it in his diary as something specially noteworthy.[2] As a matter of fact, however, there had never been a Jesuit of the name of George Ziegler at Dillingen.[3]

Four years earlier, in 1575, the preacher Seibert had said of the Society in general: 'The Jesuits practise horrible sorcery, they besmear their pulpits with secret salves got from the devil, whereby they lure the young folk to themselves, so that it becomes very difficult to separate them from their sorcery-masters, and they always want to go back to them.'[4] Hence it was not enough simply to expel the Jesuits, they must be burnt to death as sorcerers; unless they were punished like this, and they richly deserved it, there was no chance of getting rid of them permanently. Not only were they sorcerers themselves, but they gave instruction in sorcery in their schools. The Hildesheim Jesuits especially were charged with teaching their pupils the magic spells of the poison-mixers, and other arts of sorcery. The Jesuits also, so it was said, made use of certain magic means to hasten on the progress of their pupils. In 1604 several pupils of the Jesuits at Hildesheim were banished from the town as sorcerers and mice-makers.[5]

Even towards the middle of the seventeenth century we find the Frankfort preacher, Bernhard Waldschmidt,

[1] *Newe Zeitung*, &c., Urssel, 1579. Cf. *Annalen des Vereins für nassauische Altertumskunde*, vii. Heft i. 273.

[2] v. Wedel, 277. [3] ** Duhr, *Stellung der Jesuiten*, 95.

[4] See present work, vol. viii. 332.

[5] *Zeitschr. des Harzvereins*, iii. 823.

inquiring into the reasons why 'so many young children also were given up to works of sorcery and witchcraft?' and discovering one of these reasons to be 'the instruction imparted to children in the Jesuit schools.' 'Even among us Lutherans,' he said, 'you will sometimes find parents who send their children to the schools and colleges of the Jesuits, and think that because they have the reputation of being thorough and excellent scholars, well-versed in all languages, arts, and sciences, their children will also be turned by them into highly learned people. Such parents, however, are simply and solely giving up their children to the devil, not only as regards the false teaching and heresies with which they will be misled, whereby they will be in danger of losing their souls, but also on account of the sorcery and witchcraft they will learn; for even if all Jesuits are not sorcerers, it cannot nevertheless be denied that there are sorcerers among them.' Amongst these sorcerers Waldschmidt included also St. Francis Xavier. Father Coton had possessed an 'enchanted mirror,' by means of which he had been able to bring to light all the secrets of all potentates. 'In 1608 a former Jesuit had made known by their names the books out of which sorcery was taught in the Society. In Strasburg a boy was burnt as a sorcerer who had deposed that he had learnt the black art from the Jesuits in Molsheim.' 'From this it is seen that parents who send their children to such schools are often the cause that their offspring are easily lured away into the devil's guild and company of sorcerers.' [1]

Another preacher, Melchior Leonhard, who in 1599 warned his hearers against the Jesuits 'as avowed

[1] Waldschmidt, 54–56.

supporters of sorcery and witchcraft,' gave especially one reason from which it might be inferred that the Jesuit vermin were pretty nearly in the same boat as sorcerers and witches. This reason was that they had no horror of Jewish doctors, for 'it was well known from history and experience that their lord and idol the Romish Antichrist, the Popes, had employed, and still did employ Jewish doctors and sorcerers when they were sick.' 'Of this there could be no doubt, that all who called in the help of such doctors called in the devil himself, for the Jews and their medical men are no other than instruments of Satan.' [1]

This opinion was widespread among the Protestant theologians and preachers. Waldschmidt, who shared in it, took his stand on the memorandum of the Wittenberg and Strasburg theologians who in their turn appealed for support to an utterance of Luther. Luther had said: 'When you see or think of a Jew always say to yourself: "Go to, the lips that I there behold have, Saturday after Saturday, cursed, reviled and spat at my dear Lord Jesus Christ, and shall I eat, drink and talk in company with such a bedevilled mouth? Why I might then be eating or drinking myself full of devils, for I should certainly be making myself one with all the devils that dwell in the Jews."' 'If these sagacious words of Luther,' said the Strasburg theologians, 'were properly attended to by all Lutherans, there is no doubt but that everybody would be carefully on their guard not only against the medicine of the Jews but also against their conversation and their company.'

[1] *Zwei Predigten über die Zauberin zu Endor* (1 Samuel, ch. xxviii.) (without locality, 1599), pp. 9–10. These sermons formed in great measure the basis of B. Waldschmidt's *Pythonissa Endorea.*

'Those who make use of the blasphemous, sorcerous Jews for the restoration of their lost health make themselves partners in their sins. Rulers who allow Jew doctors to practise,' said Waldschmidt, 'are as it were giving over their subjects to the agents of Satan.'[1]

Melchior Leonhard did not think it 'in any way surprising' that 'Jesuits, Jews, sorcerers and witches all, as it were, fished with one net; for they were all equally members and servants of the devil, as had already been shown by the renowned Tübingen provost and chancellor, Jacob Andreae, in some of his sermons about the papists and the Jews.' Leonhard had no doubt in his mind one of a set of sermons which appeared in 1589 in which Andreae had said that 'the unity of the Catholic Church was no certain sign of its being the true Church, for nowhere was there less disunity of belief than among the Jews.' 'Must then the Jewish faith for this reason be the right one? No, not necessarily. For why should the devil make the Jews disunited in their religion? They carry out his will in everything. And why, too, should the devil make the Catholics disunited, since they also, like the Jews, serve him in everything according to his will? Thus the Jews enjoy under him all possible protection and patronage and live together in perfect peace.'[2]

But Melchior Leonhard had another reason besides their connexion with Jewish doctors for believing the 'Jesuit vermin' to be in the same boat with sorcerers and witches. 'The Jesuits,' he said, 'are very apt to interest themselves in witches and sorcerers

[1] Waldschmidt, 397-406. [2] Schenk, 33-34.

and to be full of mercy towards this devil's crew, for no other reason than that they hope thereby to escape falling themselves into the hands of the torturer.' [1]

Utterances of this sort redound to the honour of the Jesuits and force on us the conclusion that the Jesuits in Germany did not exactly show great zeal in the persecution of witches.

The Jesuits, like all believing Catholics and Protestants, were also firmly convinced of the possibility of devilish influence over human beings; in this respect they were the children of their age.[2]

[1] Leonhard, 11–22.

[2] Duhr, *Die Stellung der Jesuiten*, p. 22 ff., says: 'It is quite inconceivable that a religious society in Germany, living in the midst of the popular superstition and the rage for execution, should not, like the great mass of educated Catholics and Protestants, have been influenced by these same ideas. We have no right to look for such a wonder among the Jesuits either. The Jesuits are and were children of their age, and as such susceptible and subject to the errors prevalent around them. Nevertheless a goodly number of them stood forth to combat these errors, and this in a certain sense should be reckoned to the credit of the Society. Not that the Order had enjoined on them this course, but that it was the members of the Order who, in consistent application of the principles of the Evangel, in which they had been trained, Christian love, mercy and justice, had raised themselves to this standpoint. The Society as such never took up any attitude of any sort towards witch-trials. Neither in the actual constitution (in the stricter sense of the word), nor in the decrees of the general congregations, nor in the ordinary directions of the generals do the words "witch" or "sorcerer" ever occur. "Possession" or "exorcism" are never once mentioned. With regard to the inquisition the Society obtained special papal privileges exempting its members from appointment to inquisitional posts; it regarded the office of the inquisition as opposed to the spirit of its own statutes.' P. 96: 'The opinion that the Society of Jesus, as such, assumed a definite attitude towards the proceedings of the witch-trials, is quite as incorrect as the assertion that the Jesuits as such had universally encouraged these trials. The generals of the Society, at a distance from the scene of the witch-burnings, received the most varying reports about them and of the cruelty practised by both laity and clergy against witches, and they found it therefore very difficult to make up their minds whether there was really question of "injustice of the most flagrant

'Everywhere,' wrote Peter Canisius on November 20, 1563, 'they are punishing the witches, who increase and multiply in an extraordinary manner. Their crimes are frightful. They envy little children the grace of baptism and rob them of it. Child-murders occur among them in great numbers. On their own confession they have actually cut up the flesh of children. Never before in Germany have people been seen to be so entirely given up to the devil. Incredible is the godlessness, the immorality, the cruelty of which, under the guidance of Satan, these abandoned women have been guilty. In many places these deadly pests [1] of the human race and arch-enemies of the Christian name, are burned to death. They send a great many people out of the world by their devil's arts, they raise tempests, and bring down terrible evil on country people and other Christians; nothing seems safe against

description." Had they come to the conclusion that it was so, it would naturally have been their duty to send different instructions to Germany. As it was they contented themselves with maintaining a neutral position, while at the same time repeatedly enjoining on their members to abstain from interference in the trials, whether against or on behalf of the witches. As regards individual Jesuits we find, in this respect, the greatest diversity of opinions. Some were convinced of the injustices perpetrated, and uttered warnings against them; others thought so much violation of justice was impossible and saw in the frequency of the death-sentences a proof of the appalling spread of witchcraft, and therefore thought it right to raise their voice in favour of its extermination. On this point author stands opposed to author, preacher to preacher, printing license to printing license, and, indeed, almost at the same moment. The neutral position of the generals and the very varying views of individual Jesuits are enough to show how incorrect is the assertion that witch-trials were resorted to by Jesuits in general as a welcome means for the rooting-out of heretics. Moreover, the facts, as regards the place and still more the time of the witch-fires and the persons who fell victims to them, are against such a conclusion.'

[1] 'Pestes exitiales.'

their horrible tricks and powers. The righteous God allows all this on account of the grievous iniquities of the people which have not been expiated by penance.' [1]

The German Jesuit George Scherer distinctly egged on the secular authorities to the persecution of witches. In a sermon of 1583 in which he graphically describes one of the most remarkable cases of casting out devils of the sixteenth century,[2] he brings demoniacal possession into close connexion with witchcraft. 'The grandmother of the possessed girl,' he said, 'was a witch, who had had the wickedness to unite her own flesh and blood, her child's child, body and soul, with the devil.' 'But that it had happened thus and in no other way is witnessed to not only by this poor girl herself, but by the old witch, who is now at Vienna in the prison of the witches, and who confessed it herself, both when questioned mildly and under torture.' In order to silence all contradiction Scherer, at the conclusion of his sermon, said again emphatically: 'But I am only wasting words over a matter which is as clear as daylight. The culprit who bewitched the devil into the girl has been examined in court both by the kindly and by the

[1] Canisius to Laynez: Augsburg, November 20, 1563. Cf. vol. vii. 40, n. 3, ** and especially Duhr, 23 ff. Cf. also Paulus in the *Katholik*, 1900, ii. 471, concerning Diefenbach. In the catechisms of P. Canisius (unlike those of Luther) there is no mention of witchcraft, as Riezler also points out (p. 129). Cf. the parallels between his catechisms and those of Luther in Diefenbach. *Der Zauberglaube des 16ten Jahrh.* p. 37 ff. 'It can be shown that this catechism, in complete contrast to those of Luther, deserves to be called a *Christian* catechism, because the devil-system of the reformer is quite left out here' (p. 37). On the Catholic side Riezler mentions (not before 1700) a Bavarian 'Kinderlehre' (instruction for children, not printed) 'in which in addition to the explanation of the ten Commandments, witchcraft is also explained and examples of it given' (p. 271).

[2] See vol. xii. 336 ff. ** Cf. also Duhr, *l.c.* p. 25 ff.

harsher "questioning" and has plainly said: "I have done this and even much more horrible things."'

The statements of the 'witch' at the so-called 'kindly questioning' and on the rack were for Scherer conclusive evidence of her guilt, and he dedicated his sermon to the town magistrate of Vienna with the words: 'That your Excellency, as secular magistrate, may learn from this sermon how much cause there is for inquiry concerning these highly dangerous sorcerers and sorceresses, and for proceeding against them with suitable punishment.'[1]

The Jesuits, however, were not all of one mind concerning Scherer's sermon. 'The Provincial of the South German Province, Father Bader, wrote on November 8, 1583, to the General Aquaviva: From Austria there has been sent to a bookseller in Augsburg a sermon by Father George Scherer about the expulsion of 120,000 and more devils. At the same time a letter came to us asking us to revise and improve it and superintend its publication. Our members, who at my behest have read the sermon, are of opinion that

[1] Scherer's *Werke, Münchener Ausgabe*, ii. 180. ** Cf. also the analogous passage quoted by Duhr (p. 28) from a Lent sermon of Scherer (Scherer's *Postille der sonntäglichen Evangelien* [3rd. ed. Munich, 1608] p. 430 ff.). See also (p. 36 ff.) what Duhr says on Father Gregory of Valencia's emphatic statements concerning the duty of the authorities as regards the punishment of sorcery. 'The uncritical use of uncritical vouchers' (especially Binsfeld, the *Malleus*, Bodin and Spina) says Duhr (p. 38), 'further, a theoretical method without a clear insight into practical conditions and consequences, combined with the prevalent terror of witches, has led so scholarly a thinker as Gregory to formulate doctrines which in their practical application give fresh fuel to witch-burning, and are bound to consign many an innocent victim first to the rack and then to the flames.' Later on the court preacher of Maximilian I. of Bavaria, Father Jeremias Drexel († 1638), in his *Gazophylacium*, first published at Munich in 1637, exhorted the princes to persecute the witches. See Riezler, p. 190 ff.; Duhr, *l.c.* p. 69 ff.

it can scarcely be allowed to bear the name of our Society. I have, therefore, out of deference for their opinion, given directions that the sermon shall be returned to the bookseller, and that, without indeed forbidding the latter to print it, he shall not be pressed to do so. For I really don't know what to think about the publication of such immature productions.' [1]

It is very noteworthy also that Scherer's exhortation to the persecution of witches did not meet with approval from the General of the Society, Claudius Aquaviva. On March 16, 1589, the latter issued an injunction to the provinces of the Society to the following effect: 'Even if it is allowable to give the princes general advice as to the adoption of remedial measures against poison-mixing, which in that district is said to be very widespread, and also to admonish witches, when opportunity occurs, that they are in duty bound when judicially interrogated to name their accomplices, nevertheless the Fathers must not mix themselves in the witch-trials, and must not insist on the punishment of witches; also they must have nothing to do with exorcising them, in order to prevent their recanting their statements; for these things do not concern us.' [2]

[1] ** Duhr, p. 28.

[2] The injunction runs as follows: 'Liceat quidem Principi consulere in generali, ut remedium adhibeat istis veneficiis, quae multa esse aiunt in ista regione, et praeterea quando occurrit monere etiam sagas istas, quod in conscientia tenentur, cum iuridice interrogantur, complices manifestare. De caetero vero non se immisceant in foro externo *nec urgeant, ut aliqui puniantur*, nec eas exorcizent ad eum finem, ne retractent quod iam confessae sunt: haec enim nobis non conveniunt. Romae, 16 Mart. 1589.' *Archives* of the German Province of the Society, Ser. 13, vol. B. p. 27. Contributed by the Jesuit Father B. Duhr. ** See Duhr's pamphlet on *Die Stellung der Jesuiten*, p. 32 ff. Riezler says of this injunction of the general of the Society (p. 190): 'Here we see the intention to preserve to the Society its distinctive position, and to ward off from its members the

In the annual reports of the Jesuits there is often mention of trials of witches, sorcerers, and of the spiritual consolation which the Fathers administered to the poor victims; frequent instances are cited of how they led back into the right way women or men who, under demoniacal influence, had committed dreadful crimes; but there is not a single instance of their ever having brought an unhappy creature before the court, or given any encouragement to witch-burning. Not seldom, however, are cases mentioned in which the intercession of the Jesuits procured the release of persons already condemned or their removal to an infirmary.[1]

Frederick von Spee complained bitterly that in territories where the ruling princes had Jesuits for their confessors, the judges themselves debarred the Jesuits from access to the imprisoned witches, 'for some of the judges fear nothing more than that something might possibly come out whereby the innocence of the imprisoned witches would be established. At the tables of

odium incurred by interference against particular individuals.' But already in 1563, at a time when the epidemic of witch-trials was not so extensive, Canisius had written to Laynez about the wonderful increase of witches against whom penal measures ought everywhere to be instituted (see above, p. 243 f.). 'The Jesuits,' Riezler further opines, 'could, in obedience to the command of their Order, abstain from mixing in particular trials, while at the same time, as the most distinguished theological authorities, they might, in general, be stirring up persecution in the most dangerous manner.' This suspicion in its entirety, in so far as it is directed against the Society as such, and not confined to individuals, is quite unfounded; of a double-faced game, such as Riezler has in his mind, there can be no question whatever.

[1] See for instance for Spires, Treves, Coblentz, Aix-la-Chapelle, Würzburg and so forth the *Litterae annuae*, 1586-1587, p. 267; 1590-1591, p. 341; 1596, p. 283; 1597, p. 123; 1598, p. 380; 1601, p. 635; 1607, p. 709. Cf. also Reifenberg, 349. ** Cf. the cases cited by Duhr in *Die Stellung der Jesuiten*, p. 73.

great men they actually dared to demand the banishment of the Jesuits as promoters of injustice.' [1]

On the landed properties and in the villages and lordships, where the Jesuits in virtue of the right of possession exercised jurisdiction, there were never any witch-burnings.

Nothing, however, is more illustrative of the thoroughly honourable attitude of the Jesuits towards witch-persecution than the teaching of the two most important Jesuit theologians of that period, Fathers Paul Laymann and Adam Tanner.[2]

Apart from the influence which their learning alone had gained for these precursors of Frederick von Spee among the Jesuits, they exercised for nearly a whole generation the influence of renowned teachers on their fellow-members of the Society. Laymann, since 1604 active as professor in Ingolstadt, Munich and Dillingen, known through his 'Theologia Moralis' as one of the most important moral theologians,[3] devoted special

[1] '. . . . Nihil enim quidam aeque formidant quam ne quo modo tale quippiam se forte prodat, quo captarum innocentia in lucem prosiliat. Itaque cuiusmodi generis viris non modo orbis terrarum iuventutem, sed et ipsi principes conscientiam suam fidunt, hos quidem eorumdem principum inquisitores eo habent loco ut non modo a conscientia reorum, quantumvis expetiti sint, eos removeant, sed et iactitare ad nobilium mensas nuper ausi sint a patria merito exigendos esse tanquam iustitiae turbatores.' *Cautio criminalis* (Francofurti, 1632) p. 444 sq.

[2] See present work, vol. xiv. 356, 365, 376.

[3] Cf. Hurter, *Nomenclator*, i. 678–679. Concerning the different editions of the *Theologia Moralis*, fuller details are given in de Backer, ii. 673–675. ** In Riezler, p. 230 ff. Laymann comes off badly as the supposed author of the *Processus iuridicus contra sagas et veneficos* (Colon. 1629). 'In Tanner's own Order,' he says, 'it was found necessary to oppose a treatise to the *Theologia scholastica*, in order to weaken the effects of its criticism and to avert the danger that Tanner's work might produce too great modifications in the proceedings at the witch-trials. The author calls himself on title-page the (Munich) Jesuit Father Paul Laymann. Next to

attention to the witch question both in his lectures

Tanner he was at that time the most important of the Bavarian theologians of the Order. That in 1629 he should not yet have known of the great work of his famous colleague, the printing of which had been completed two years before, is quite out of the question. His silence therefore on the matter is very significant.' Hence, just because in the pamphlet there is no trace of a reference to Tanner's book, Laymann's work must forsooth be called a counterblast against Tanner, written in the spirit and by order of the Society! 'Laymann's *Theologia Moralis*' (Riezler moreover speaks only of the 1st edition of the *Theologia Moralis*) 'breathes the same spirit as his tract.' Riezler also thinks to upset Janssen in his quotations from Laymann by saying (p. 263 note) that his, Janssen's, quotations are from a later edition (1723) and not from the original work. Again: 'Father Laymann would turn in his grave if he knew that nowadays, even from the Catholic side, he was praised as an opponent of the witch-craze, which praise he would regard as the most monstrous blame.' At p. 264 he is again called 'the fanatic Laymann' who 'as advocate of the practice . . . (namely through the *Processus iuridicus*) has driven the milder Tanner completely out of the field.' Finally, at p. 265 Riezler discusses the 3rd edition of the *Theologia Moralis* of 1630, and expends much trouble in wresting it to his ideas. 'The downward breeze had since [since the appearance of Tanner's work] become somewhat milder and even the uncompromising Laymann was obliged to change his coat accordingly. . . . The Jesuitic moral theologian, in these utterances of 1630, is nowhere in direct contradiction to those which he gave forth in 1625 and 1629. Yet they breathe a new spirit—a spirit which is not Laymann's.' [Laymann's spirit, therefore, must not be sought in his own works, but in a piece of writing of which he was not the author !] 'Could we see behind the scenes and spy out all the inner doings that were enacted at that time in the Order, we should doubtless possess the key to the riddle.' On the other hand Father Bernhard Duhr has shown ('Paul Laymann und die Hexenprozesse' in the *Zeitschr. für kathol. Theol.* 1899, pp. 733–743), by internal and external evidence that Laymann could not be the author of the *Processus iuridicus contra sagas*, and that the work is incorrectly attributed to him. Most especially, he insists on the irreconcilability of the views expressed by Laymann in the 3rd edition of his *Theologia Moralis* (which are repeated in the later reprints) with the *Processus iuridicus*. Riezler nevertheless stuck to his opinions in a polemic against Duhr ('Paul Laymann und die Hexenprozesse. Zur Abwehr,' in the *Histor. Zeitschr.* lxxxiv. (1900), 244–256); in explanation of the contradiction alluded to he assumes, with the usual invectives against the historical falsifications of Janssen-Pastor, &c., and without any positive ground, that, between the appearance of the *Processus* and the 3rd edition of the *Theologia Moralis*, 'pressure from above' was exercised on Laymann.

and other ways. In opposition to his brother Jesuit,

Then again Duhr returns to the question ('Is Father Laymann the author of the '*Processus iuridicus contra sagas?*' in the *Zeitschr. für kathol. Theologie*, 1900, pp. 585–592) and shows the baselessness of the arguments, once more exhaustively presenting the reasons against Laymann's authorship. A Latin original edition imagined by the defenders of this authenticity does not exist. Nobody has ever seen another edition preceding the German Aschaffenburg and Cologne editions of 1629, and if the bibliographers of the Society cite a Latin edition, the place and date of which, however, they do not give, it is only that they have been misled by the Latin title of the Cologne edition. The pamphlet itself, as it lies here before us, is, as the title alone shows, no mere translation of an original by Laymann, for the very wording of the title and also the dedicatory preface of the publisher, Quirin Botzer, expressly declare that numerous other sources have been utilised for its production besides Laymann. The actual doctrines of Laymann, even in the 1st and 2nd editions of the *Theologia Moralis*, and still more in the 3rd, do not coincide with the opinions of the *Processus*; for the assumption of want of consistency in Laymann in consequence of which he changed with every wind, and from year to year, out of worldly considerations, took up a different position, there is not a vestige of proof. Laymann, besides many other authors, is quoted in this work; the passages cited from him are extracts from his *Theologia Moralis*; for all the rest, and for the whole compilation, he is in no way to be made responsible: the way in which his name is used on the title-page as that of the most renowned contemporary author, is a mere puff of the publisher's. Laymann himself, in the 3rd edition of his *Theologia Moralis* of 1630, has not one word of allusion to any special treatise published by him in the previous year, whereas in this very much expanded version he appeals repeatedly to Tanner. See further Duhr's work, *Die Stellung der Jesuiten in den Deutschen Hexenprozessen* (Köln, 1900), pp. 53–59. On the ground of his statements Duhr can say here with perfect right (p. 59): 'It is thus seen that Father Laymann, though no friend of Delrio, in many points opposed the witch-trials of that period.' Binz, in a notice, 'P. P. Laymann und die Hexenprozesse,' in the *Histor. Zeitschr.* lxxxv. (1900), pp. 290–292, agrees with Riezler, but points to a datum, so far overlooked in the controversy, furnished by Hartzheim (*Bibliotheca Coloniensis.* (1747), p. 182), according to which Johannes Jordanaeus, D.D., Canon and parish-priest at Bonn and author of a *Disputatio de proba stigmatica* (Colon. 1630), was the editor of the Cologne edition of 1629 of the *Processus*. 'This,' says Binz, 'perhaps gives us a hint by which Laymann's connexion with this bookseller's speculation may be traced.' To us it seems, on the contrary, that were Hartzheim's information trustworthy we should have to seek no further for the veritable author. Now, however, Duhr has succeeded

the Spaniard Delrio,[1] who 'in many points held to the sterner view,' he insisted that 'if witch-trials were conducted according to the directions of the more savage legislators and the practice of many of the judges, it must inevitably happen, as indeed experience showed, that the innocent would be frequently condemned with the guilty.'[2] For the benefit of the witch-judges Laymann drew up a regular register of sins. Through their (the judges') proceedings, he said it had come to this, 'that if these trials went on any longer, whole villages, boroughs and towns would be left empty and no priests would any longer be safe.'[3] There are some judges, he said, 'who ask the condemned witches before execution whether they stick to the statements made by them about their accomplices, and if the answer is "yes" these statements are declared correct, and no account is made of a recantation.'[4] As a rule no opportunity for defence is granted to the accused.

And yet the crime in question is one the very existence of which it is extremely difficult to establish; for the persons concerned are mostly 'wavering, hysterical, often quite crazy women, who from their own confession might easily be deluded by the evil spirit.[5] Recourse should never be had to the rack until the accused have been accorded a chance of defending themselves. Confessions wrung by torture should never be acted on and never recorded in the minutes. The judge must

in finding a 2nd edition of the *Processus* in the title of which Laymann's name is omitted, and we can only agree with his conclusion that the *Processus iuridicus* should be struck off the list of Laymann's works (*Zeitschr. für kathol. Theol.* 1901, p. 166 ff.).

[1] See above, p. 401.

[2] *Theologia moralis* (Moguntie, 1723), p. 431.

[3] *Ibid.* p. 432, No. 3. [4] *Ibid.* p. 425, Nos. 26, 27. [5] *Ibid.* p. 430.

also be very careful never to say: "You must give the names of your accomplices, or you will be put on the rack." The value of such confessions and statements is nil; only what is said voluntarily may be attended to.'[1] Not in vain did the Coburg lawyers, when attacked by the preachers of the town for their milder practice in witch-trials, appeal in self-defence to the authority of the 'renowned Jesuit, Paul Laymann,' and quote numerous utterances of his to show how little importance should be attached to the statements of the witches about their accomplices.[2]

With even more decisiveness than Laymann did Father Adam Tanner 'come forward in favour of the many unfortunate victims who, through the miserable parodying of justice, were delivered over guiltless to execution.' Tanner had entered the Society of Jesus in 1590; in 1596 he was appointed to the Chair of Hebrew at the University of Ingolstadt, and afterwards to a professorship at Ratisbon. In 1601 he took part as a Catholic speaker in a religious conference at Ratisbon. Later on he lectured for fifteen years on scholastic theology at Ingolstadt, and was afterwards professor in Vienna and Chancellor of the university at Prague.[3] Already in the period of his tuitional labours at Munich, he had, as he says in his principal work, 'Theologia scholastica,' various important questions put before him relating to the witch-trials. In his work he spoke out on the subject more fully, 'in order that the

[1] *Theol. mor.* p. 430. [2] Leib, 38; see above, p. 404.

[3] See Rapp., Kropf, 47 ff. *Hist. Prov. Soc. Jesu Germ.* v. 100–102. 'Tanner was considered the first theologian of his day,' it says on the memorial tablet erected by the theological faculty at Ingolstadt in his honour. See Mederer, *Annales*, ii. 145, 178, 262. Hurter, *Nomenclator*, i. 498-501.

educated classes of his time, and above all the rulers, should become acquainted with his opinions and should take them into mature consideration.'[1] His serious, earnest disposition, and small inclination for joking or levity,[2] may have been the result of the bitter experiences he went through in the witch-trials, just as similar experiences prematurely whitened the hair of his brother Jesuit, Frederick von Spee. Because Tanner stood out with manly courage against the burning of witches he was himself declared by the secular judges to be suspect of witchcraft, and many of them expressed the wish to get him onto the rack. On this account Frederick von Spee was afraid later on to publish his *Cautio criminalis* under his own name. 'I am alarmed,' he said, 'by the example of the pious theologian Tanner, who by his remarkably true and clever commentary incensed many against him.' 'For woe unto those who in this cause' (that of the persecuted witches) 'think to become advocates: they turn the litigation against themselves, just as though they were partakers in the art of witchcraft. Oh, what freedom there is in these days! If any one wants to act as advocate he is at once suspected! A man even falls under suspicion if he only permits himself to admonish the judges in quite a friendly manner on this question.'[3]

[1] *Theologia scholastica*, iii. disp. 4, 9, 5, Dub. i. (iii. 981).

[2] He is described as 'serius, nullisque iocis unquam vel leviter arridens, modestissimus.' Mederer, ii. 262. Tanner's 'favourite recreation,' says the Jesuit Kropf (see p. 471, note 3), 'was the forest and the song of birds.' In this too he resembled Frederick von Spee.

[3] *Cautio criminalis*, Dub. 18; cf. Franck, 81–82. ** Concerning Tanner, cf. also Riezler, pp. 248–259. Riezler thinks it necessary to rectify the favourable opinion of Rapp (*Hexenprozesse in Tirol*) and Janssen-Pastor, which he calls one-sided, p. 248 ff.: 'In the matter of witches he deserves the double praise that in two important points

'Enthusiasts for God,' who for the honour of the Almighty desired in the sense of Bodin and Fischart 'to root out the accursed race of witches,' thought it highly suspicious and worthy of torture that writers like Weyer and Tanner should throw doubts on the reality of the witch-flights and declare them to be for the most part pure illusion and imposture: 'such conceited and over-clever writers,' they said, 'ought to be punished as contemners of divine justice and law.'[1] Tanner regarded

at least he did not share unconditionally and fully in the terrible superstition of his time; and still more that he recommended modifications in the trials, especially in the use of torture, which if carried out would have put an end to the horrible wholesale slaughtering. But on the other hand he also proposed a measure which could only have led to the multiplication of witch-trials, [the appointment of officials who should watch for and give information of the signs of witchcraft]—and it is impossible to assign a place on the glory roll of the combat against the witch-superstition and witch-persecution to a man who has revealed his mental attitude by the following utterance (*Theol. schol.* iii. e. 1019, § 126): "Judicial severity against witchcraft is necessary, on the one hand in order to prevent the danger of simple-minded folk thinking there is no such crime; on the other hand to avenge the honour of God and to punish as it deserves the heinous offence committed against God."' At p. 264 ff. Riezler alludes to an undated and unsigned memorandum on witch-trials, which corresponds with the extracts on the same subject in Tanner's *Theologia scholastica*, and which in his (Riezler's opinion) was written by Tanner between 1626 and 1630. Cf. Duhr (*Die Stellung der Jesuiten*, pp. 45–53), who in opposition to Riezler remarks (p. 53): 'That Tanner, in spite of these authors (Delrio, the *Malleus maleficarum*, Binsfeld), and in spite of his times, arrived in many respects at a more reasonable standpoint, and defended it manfully in spite of the manifold dangers bound up with it, will always redound to his high renown, and neither exaggerated praise nor unjust depreciation can interfere with this renown.' 'Tanner, as the most distinguished among German Jesuit theologians, and a university professor of many years' standing in the German and Austrian province of the Society, undoubtedly exercised a lasting influence on the opinions of his fellow-members.' To learn how entirely Spee bases himself on Tanner, see below, p. 477, and Duhr, p. 59.

[1] K. Engelhardt, *Wider Zäubereien, &c. aus göttlicher Schrift, kaiserlichen und andern Rechten, hohen Doktoren und wohlgegründeter Praxi* (1637), p. 14.

the witches' flights as dreams and self-deception on the part of the women and as the result of demoniacal delusion, even though the 'witches' themselves should declare in court that they had been carried off body and soul by the devil. Very little importance was to be attached to statements of this sort, especially as the confessions of the witches contradicted each other. Even though these women declared that they had been carried away by Satan in the shape of a cat, a mouse, or a bird, there was no reason for thinking anything otherwise than that they had been the victims of sheer hallucination; for neither a wicked spirit nor a good angel had the power to change a human body into the shape of an animal. Of themselves, without the permission of God, the demons had no power to injure human beings either in their bodies or in their goods; neither could they injure anybody or anything through the instrumentality of witches and sorcerers, unless the latter made use of salves and other means which from natural causes were injurious to human beings.[1]

The greatest caution must be exercised when the accused were willing to make known the names of accomplices. 'For either these denouncers are really, as they assert, witches and sorcerers, or they are not. If they are not they are making lying statements about themselves and know nothing about others whom they make out to be accomplices, especially as this crime is a secret one and supposed to be known only to the perpetrators. If, however, they are witches, then they are people whose object is to injure all human beings, especially those who are guiltless, yea verily to bring them to perdition, let it cost what calumnious

[1] *Theol. schol.* iii. 1501, 1508–1509.

accusations it may. How then can their word have such weight that on the strength of it people who have hitherto borne an irreproachable character should be imprisoned and subjected to the severest torture?'[1]

From these considerations Tanner drew a series of practical conclusions. On the mere evidence of one or more witches, whether given on the rack or attested by oath, no one, he said, should be put in prison, still less tortured and condemned to death.[2] Further, every supposed witch must be allowed counsel to defend her, as indeed the natural law prescribes.[3] As regards torture, this was applied with such brutality that it might be considered certain from the outset that the accused would declare themselves guilty. 'A courageous, learned, pious and clever man who had long concerned himself about these matters, said once to me that he did not credit himself with sufficient strength of mind to hold out against such agonies in defence of his innocence.' A so-called 'confession' made during such suffering went for nothing, even though it should be confirmed by the accused after torture; for such a confirmation rested on a statement which had been illegitimately extorted and was therefore invalid.[4]

On the whole Tanner demanded a thorough legal remodelling of the judicial procedure against witches.[5] Very little scope was to be left to the judgment of the judges; the most intelligent and conscientious judges were to be employed, and where possible they should have the assistance of a qualified theologian.

The principle established, among others, by Binsfeld

[1] *Theol. schol.* iii. 993–994.
[2] *Ibid.* iii. 989, 997, 1000.
[3] *Ibid.* iii. 1005.
[4] *Ibid.* iii. 987.
[5] *Ibid.* iii. 1904. Tanner rejects (iii. 1001 sqq.) a series of suggestions of Delrio as too detrimental to the accused witches.

and Delrio, that 'God would not suffer innocent persons to be condemned at the witch-trials,' Tanner declared to be false and empty. It had neither inward proof nor the assent of eminent teachers. Experience, too, taught the contrary. Moreover, rapacious judges had been executed. But even if with ten or twenty guilty people one innocent person only should have to suffer, it would be better that the whole trial should be cancelled and even the guilty ones let off, or indeed not even brought to trial. God Himself had been ready to spare the whole city of Sodom if only ten righteous persons had been found in it, and the householder in the parable had told his servants not to pull up the tares lest haply they might root up the wheat also. If everything that reason and justice demanded was not insisted on at witch-trials they would bring disgrace, frightful suffering, and even death on multitudes of innocent people, infamy and irreparable ignominy on the most respectable families, and dishonour and scandal on the Catholic religion, because people had been sentenced to death who to all appearance had always lived uprightly and used diligently the means of grace of which the Church is the dispenser.[1]

'Moreover,' Tanner went on, 'these witch trials are of no real benefit; they do not put a stop to witchcraft, on the contrary they tend to increase it. The evil must be got rid of by other means. The rulers, for instance, must prevent certain gatherings in which sodomy and every kind of immorality are practised; for such gatherings are the actual breeding-places and nests of witchcraft. Penitent "witches" must not be handed over to trial, and their names must be struck

[1] *Theol. schol.* iii. 984-986.

off the list of suspected people. Even for those who were already condemned, church penalties, framed according to the public penances of Christian antiquity, would be more profitable than punishment by the secular arm: the devil would be far more disconcerted and abashed by these than by thousands of death sentences. Above all, however, witchcraft must be combated by purely spiritual means: by the Christian religion and the open confession of it, by general prayer, general attendance at Mass and invocation of the saints for their intercession. To the spiritual weapons, which are more powerful than carnal ones, belonged further careful education of the young, zeal for a well-regulated household, diligent attendance at sermons and catechetical instruction.' [1]

So taught Tanner concerning witchcraft. His work met with the approbation of the provincial of the Society, Mundbrot; the members of the Society accounted him one of their 'most discerning and pious theologians.' He found no opponents amongst them. It was on him that Frederick von Spee, full of child-like gratitude to his master, based himself, and became one of the noblest champions of reason and humanity, Christian justice and love. Amid the horrors of the Thirty Years' War, amid all the distress and misery of the people, he constantly reminded the rulers that it was justice so-called, administered in the name of God and of right, which was mainly responsible for all the brutality and abominations with which an inhuman soldiery disgraced the German land.

[1] *Theol. schol.* iii. 1021-1022.

CHAPTER VIII

PERSECUTION OF WITCHES IN THE PROTESTANT DISTRICTS SINCE THE LAST THIRD OF THE SIXTEENTH CENTURY

AMONG the Protestants since the last third of the sixteenth century the most frequent and cruel persecutions of witches occurred in North Germany, but in the south also, and in Switzerland, many thousands of witches perished at the stake.

Thus, for instance, in the canton of Bern in the years 1591–1600 many more than 300 persons, in the years 1601–1610 more than 240, in 1613, in one single district, 27 were executed as witches or sorcerers.[1]

A persecution which began in 1590 in the imperial town of Nördlingen was crowded with barbarous incidents. At the instigation of the Burgomaster Pferinger the council determined 'to destroy all the witches root and branch.' Amongst the three who were executed on May 15 there was a demented woman who declared that she had poisoned some burgher men and women, although the people in question had never been ill. On July 15 there followed another triple witch-burning, and on September 9 five were burnt together. One of the four who were burnt on January 15, 1591, had been

[1] See Trechsel, 'Das Hexenwesen im Kanton Bern,' *Berner Taschenbuch für* 1870.

on the rack twenty-two times, fourteen times without having had a single confession extorted from her. Not till the fifteenth trial did she give way and answer 'yes' to all the questions put to her. Among the women brought to trial was the wife of a paymaster, a woman of the best character, a good wife and mother, against whom there was no reproach but the mere statement of some women that they had seen her at the witches' dance. She had nothing to confess, for she had done nothing. At the second trial her thumbs were crushed and her shin-bone quite flattened down. Under the most excruciating agony she protested her innocence. At the third examination there was fresh torture and fresh denial. The fourth time she was drawn up and down on the rope; her strength gave way and she 'confessed' that she had subscribed herself to the devil and received from him a salve with which she had killed numbers of people. But to her husband she secretly sent a note which ran as follows: 'I was obliged to say it, they tortured me so dreadfully, but I am as innocent as God in Heaven. If I knew the least little trifle about such things I should wish that God would shut me out of Heaven. Oh, thou my beloved treasure, how my heart is breaking! Oh, woe for my poor orphans! Oh, treasure of your innocent Magdalen, they are taking me from you by violence. My God, how can I bear it!' The judges, not content with her 'confession,' next insisted on being told with what persons she had been at the witch-gathering, when she conscientiously declared that she was ready to bear any pain, but she could not have it on her conscience that she had denounced innocent persons and brought them to like misery; the rack was applied again. In consequence of repeated tortures

more and more excruciating, she at last 'confessed' to two other witches and with them ended her life at the stake.[1]

There was no end to the accusations, said the superintendent and town pastor, William Lutz, from the pulpit: he himself had received from several persons accusations against their own mothers-in-law, husbands, and wives even. What would come of it all? Boldly he inveighed against the inhuman proceedings, and other preachers also spoke out against persecution; the magistrate, however, took it in very ill part, and asked 'what interest the clergy had in thus meddling with the matter?' In consequence of the superintendent's saying 'they had now caught a few poor beggars, but would let the right ones slip out,' the magistracy thought fit to show that they did not spare distinguished women: the wife of a burgomaster, the wife of a councillor, the wife of the town clerk and the wife of the warden were all stretched on the rack and burnt to death as whores of the devil. It seemed almost as though half of the female sex would be destroyed by fire in Nördlingen. Of the victims of the rack one always denounced ten others: the prisons were overflowing, and it became a matter of perplexity where to stow away the ever multiplying 'devil's brood.'[2]

Not till 1593 did this frenzied state of things come to a standstill, when the climax of brutality was reached in a trial which is among the most barbarous of the century, and which serves also to show how it fared with those victims—few indeed in number—who escaped condemnation. The 'accused' in question was Maria Hollin,

[1] Weng, Heft vi. 17–42. Cf. Wächter, 106–107. Soldan-Heppe, i. 470–472.

[2] Weng, Heft vi. 42–60.

landlady of the 'Crown' inn at Nördlingen, one of the most heroic women of the time. On the charge of having been seen at the witch-dances she was put in prison in October 1593, and subjected to no less than fifty-six bouts of the most agonising torturings. At the fourth dose the thumbscrew and boot wrung from her the words: 'Would to God—may He forgive me for such talk—that I were a witch, so that I might have something to confess.' The sixth time, when fastened to the rope and drawn up and down, she still protested her innocence. 'Repeated her previous statements,' says the reporter, 'which I did not think it necessary to record.' Under further torture, still more terrible, she said it was true that cats had come into her room and had eaten eggs and other articles of food; she had given them fly-powder; whether they had died of it she did not know, but they had not come back any more: she dreaded the pains and only wished she had done all that she was accused of, but she could not say so with a good conscience. Not till the ninth examination did she give in, and she then said that a handsome young fellow had come to her, and that later on she had recognised him as the devil by his goat's feet, that she had not been able to resist him and had signed a compact with him with her blood. But at the same examination she recanted, saying she had only 'confessed' out of fear and in the hope of being thereby released from her martyrdom; she knew nothing about these things from her own experience, had only heard them told by other witches. Again stretched on the rack, she cried out incessantly: 'O Christ, have mercy on me; O thou Lamb of God, that takest away the sins of the world, have mercy on me!' At the tenth hearing she was 'three times drawn up and down on the

rope, but still she maintained that she could not truthfully confess anything. At every fresh examination the torture was heightened . . . she cried out incessantly that she would gladly die, but " confess " she could not.' ' I should have confessed long ago,' she said the sixteenth time, 'if I were such a woman, and should not have let myself be tortured all this time; the Almighty knows that I have done nothing of the kind.' Then she was laid on the rack five times more and tortured in every conceivable way; but still she persisted in declaring her innocence. The Nördlingen burgomaster Pferinger and the advocates of the council had not the slightest feeling for the sufferings of the poor woman. After all means had been exhausted without bringing her to confess, she was let off further examination for six months, but she was kept in prison, and meanwhile the torturing of other accused witches was proceeded with. The magistracy of Ulm, the town in which Maria Hollin was born, interceded in her favour with their colleagues of Nördlingen: the accused, he said, ' as an Ulm burgomaster's daughter, had lived a godfearing, honourable life, and was free from all suspicion of what she had been charged with. Her father, for many years a servitor of the council, an official in the country, had brought her up in the fear of God, and therefore they could not rid themselves of the suspicion that malignant people, by whom in other places also judges had been misled, had denounced her out of spite.' He begged, therefore, that she might be set free without any recognizances, or stain on her character.

The magistracy at Nördlingen then sought counsel of their lawyers and received the following reply: ' There had been good and solid reasons for putting Mistress Hollin in prison and for examining her both mildly

and on the rack. The minutes of the trial proved her to be a suspected person, though it was difficult to describe exactly the grounds of this suspicion. What she had undergone was, however, a sufficient penalty for what had been proved against her, and without further evidence she could not be legally subjected to any more torture. It was also to be feared that there would be much evil thinking and talking on the matter and that the relatives of Hollin and her husband would make representations to the Emperor and the Imperial Chamber. They (the lawyers) therefore advised the magistrate to let her out of the prison, but to tell her that suspicion still rested on her, and that it was only out of grace and mercy that she was released till further evidence was forthcoming; her husband must pay the costs and she herself take her oath that neither by day nor by night would she leave her house without permission of the council.' The magistrates followed this advice and the innocent woman who had been on the rack fifty-six times was obliged, before leaving prison, to sign, 'attesting the truth of it before God,' a statement to the effect that the penal proceedings against her had been perfectly just and that the suspicion of witchcraft attaching to her had been confirmed, thus depriving herself of any further means of defence. She who through all her martyrdom had spoken the truth was now compelled, in order to escape from prison, to swear to monstrous lies. 'The honourable, discreet, and wise burgomasters and magistrates of Nördlingen,' so said this statement, 'had been compelled in loyalty to their office to take her prisoner and to put her through several severe examinations.' 'All in vain had the magistrates pleaded with her concerning her own voluntary and unextorted

confession, and her immediate recantation afterwards, and for a long time had great patience with her. The evidence and presumptions brought against her and corroborated by all the circumstances had, to say the least, not been disproved, explained or demolished, still less had her innocence been established.'

The honourable magistrates, therefore, 'had more than sufficient cause for persisting in the proceedings against her with ever greater severity; nevertheless from pure fatherly kindness and pity, for this once, they saw fit to let her free,' &c., &c.[1]

As regards Nüremberg, there is no evidence of any actual witch-burning having occurred there at the time in question.[2] In Spalt, in April 1590, twelve witches had to mount the funeral pile in *one* day;[3] in Schwabach, in 1592, on three different occasions three witches were burnt;[4] at Windsheim, in 1596, actually nineteen—the twentieth had taken her own life.[5]

[1] Weng, Heft vii. 4–24.

[2] See Knapp, *Das alte Nürnberger Kriminalrecht*, p. 274. 'The witches mentioned in witch-books in 1591 occur neither in Meister Franzen's diary nor in other official documents; the entry, therefore, is of very questionable nature. A few milder cases of punishment of sorceresses are met with in the years 1434, 1468 and 1659, the first of whom was decorated with a fool's cap and attached to a stake near the Pegnitz and deprived of a portion of her tongue; the second was bound to a ladder and spent some time hanging on a cross in the market-place, being afterwards branded and sent off, whilst the last was exposed at the church door and then banished. In 1608 a soldier was beheaded on the charge of having formed a compact with the devil' (*l.c.* p. 301).

[3] *Deutscher Hausschatz* (Ratisbon, 1874), Jahrg. i. 458.

[4] v. Falkenstein, *Chron. Svabacense* (Schwabach, 1756), p. 307.

[5] See Lochner, 'Zur Sittengesch. von Nürnberg im 16ten Jahrh.' in the *Zeitschr. für deutsche Kulturgesch.* (Jahrg. 1856), p. 226. Concerning a devil's banner in the Neumarkt, see a letter of the Nürnberg preacher at Leinburg dated June 15, 1588, in Waldau, *Vermischte Beyträge*, iii. 356–362. In 1590 numbers of people were burnt in 'different places near Augsburg.' v. Stetten, i. 718.

At Ratisbon, in 1595, the lawyers and the clergy had to do with a girl-witch who was demented and who said 'the devil had entered her in the shape of a fly, and that she had often been in and out of hell with the devil. Two jurists were of opinion that she should not be punished with death by fire, but only be stretched a few times by way of warning, then be put in the pillory, have her cheeks burnt through and sent into perpetual exile.' [1]

In Bayreuth the consistory instituted house-searches to discover devils and witch-medicaments in pots and glasses. The superintendent there, Justus Blochius, begged and entreated the women whenever they saw a man to look first at his feet, because the devil always had a goat's foot. At Wallerstein in the Bayreuth district, in 1591, twenty-two witches were burnt at one go. Even people of high position were brought before the court; for instance, the hereditary marshalless Cæcilia von Pappenheim in Ansbach, who was seventy years of age. A shepherd demanded of her a gulden because one night when she had hobnobbed with the fiend, he (the shepherd) had piped the music for the dance. On being dismissed without the gulden, he proclaimed his tale throughout the land, and demanded that some witches who were about to be executed at Schwabach, Abensberg and Ellingen, should again be put on the rack and questioned as to whether they had anything to tell about the hereditary marshalless. A witch of Ellingen deposed that, 'Cæcilia, accompanied by her lady's maid, generally rode on a cow to the hellish assemblies, and that at a witch-dance she had looked like a Nuremberg woman': the imprisonment

[1] Gumpeltzhaimer, ii. 1010–1013.

of Cæcilia followed. She was not, however, burnt to death, because the juridical faculty at Altorf decided that the statement of the Ellingen witch, who had already been executed and had never been confronted with the accused, had not sufficient foundation; on the other hand, the statement of the shepherd that he had piped at the witch-dance was so weighty, compromising and grave, that the accused could only parry it with a denial on oath. In order to obtain her freedom Cæcilia was obliged to take this oath and to bear all the costs.[1]

In 1613 a 'broadsheet concerning the horrible sorcery of the German nation' gave the following report: 'At Ochsenhausen three witches soared up into the air in broad daylight; they were seen by many hundreds of people, and they raised a frightful screaming, and then brought on such a storm that flint stones weighing a whole pound fell to the ground; in these flint stones were found villainous animals. The witches confessed that 4000 of them had sworn together to destroy everything; one of them had killed 334 little children.'[2]

When in 1616, by command of the ducal government of Würtemberg, the fiercest witch-fires were lighted in the towns of Sondelfingen, Dornstadt, Löwenberg and Vaihingen, 'a woman from Seresheim, who was called the mother of all witches, confessed that she had carried on witchcraft from time immemorial, and had killed as many as 400 children, among them three of her own. These had all been dug up again and boiled; some of them had been eaten, some used for making

[1] Lang, iii. 338–341. Kraussold, 158. Concerning witchcraft in the territory of the former convent of Heilsbronn, see Muck, ii. 57–60.

[2] Printed at Erfurt by Jakob Singe, 1613.

witch-salves and the hollow bones she had given to the pipers to whistle on. She had killed her own son's wife, she said, and two of his children; her two husbands she had made lame for long years and finally killed; her immorality with the devil had been continuous; during the last forty years she had raised innumerable bad tempests a few miles off from the Heuchelberg. On this mountain the witches' sabbath was kept five times a year, when as many as 2500 people, rich and poor, old and young, among them people of distinction, gathered together. She said also that if there were no witches the Würtemberg subjects would have no water to drink, and every seventh year would not be allowed to till their fields, also their kitchen utensils would not be earthen, but silver. She gave as a reason why so many women fell victims to delusion, the ill-usage of their drunken husbands; she explained to the judges the sign by which they might be recognised.' On her evidence a number of innocent women were then arrested and put to death.[1]

A trial of great fame was prosecuted in Würtemberg, in 1615, against the mother of the great astronomer Kepler. The charges against her were, 'that she had been brought up at Weilderstadt by a cousin who was burnt

[1] *Zwo Hexenzeitung*, 'die erste aus dem Bistum Würzburg . . . die ander aus dem Herzogtum Württemberg: wie der Herzog in unterschiedlichen Stätten auch angefangen,' Tübingen, 1616. Cf. Görres, *Christliche Mystik*, 4[b], 642–643. ** At Mömpelgard (under the Würtemberg sovereignty), according to the report of a 'Warhaffte und glaubwürdige Zeyttung von 134 Unholden,' &c. (Strasburg, 1583), 'the witches had a gathering on the 21st of the Heumonat (hay-month), 1582, on a mountain, and a terrific hail-storm was raised; forty-four women and three men of this company were taken prisoners and burnt at Mömpelgard on October 24, 1582.' According to the same broadsheet many other witches were also burnt there in 1582.

there as a witch; whereas as a widow she should have lived alone, she had gone about to places where she had no business to be, and had thus incurred the suspicion that she was a witch; she had given a girl a devil as paramour; she had killed two children of a burgher; had passed through locked doors, had bewitched cattle which she had never touched nor even seen.' In her favour it might be alleged that although it had sometimes happened in the town of Leonberg that witches had been condemned and burnt after all that they knew about themselves and others, their accomplices, had been wrung from them by excruciating torture, yet they had never denounced the accused; indeed, one of the imprisoned women, 'who had been tortured so brutally that her thumb remained hanging to the instrument,' had stated that she had been illegally interrogated about Mistress Kepler by two judicial persons who had been sent to her. The chief accuser of the unhappy woman was a person 'who in her youth had been ensnared into immorality.' This female's husband, in his charge, urged that in the case of witches no proof was needed, 'for,' said he, 'they commit their crimes secretly.' Kepler defended his mother, and he had hard work to save her from the rack and the stake. Casting reserve aside, he depicted in the darkest colours the brutality of the proceedings in these witch-trials. But he himself also was a proof that the witch-superstition governed the most intellectual and learned men of that time; he emphatically acknowledged the existence of witches and of the supernatural diseases which they produced.[1]

[1] Fuller particulars concerning this trial are given by v. Breitschwert, 97–146, 193–225. 'The Tübingen lawyers,' says Sauter, 61, 'according to

In Rottenburg on the Neckar twelve witches were burnt in 1583 on July 12, and nine in 1585 on April 7.

the latest compilation of the penal *Consilia Tubingensia* of Professor Seeger, maintained an exceptional attitude of independence towards the abuses practised in these trials.' But from a bundle of minutes of trials of the years 1609–1616, preserved in the registry of the town of Sindelfingen, we see that even 'Dean and doctors of the Law faculty of the university at Tübingen' condemned people to torture on the most miserable evidence for the sake of a *praemium operae* of six imperial thalers. Noteworthy is the *Predigt von der Zauberei* (Grüninger, 86–104), delivered by the court-preacher Grüninger in 1605 in the court chapel at Stuttgart. ** In the *Consilorum Theologicorum Decas I.* of Felix Bidembach (Frankfort-on-the-Maine, 1611) we read, pp. 118–133: On hail and witches. Report of both the doctors of Holy Scripture and preachers at Stuttgart, Matthew Alber and William Bidembach, 1562 (appeared separately: sermons on hail and witches. Tübingen, 1562). Hail and thunder, it is here explained, come from God, not from witches. Why then are the latter punished? 'The answer is that divine and imperial laws do not regard witches and sorceresses as punishable, do not condemn them to death, because by their own power and malice they can disturb the elements, but because they deny God and the Christian faith, give themselves up entirely to the devil, and are so completely possessed and ensnared by him that like him, their master, they desire nothing else than to work all manner of injury and misfortune to human beings. . . . It is for this unbelieving, wicked, devilish will, procedure, and madness that witches are justly punished as the avowed enemies of God and all mankind—punished as traitors and incendiaries, who, even if they have not betrayed and set fire to towns, yet cherish a constant wish and an intention so to do. Nevertheless the authorities ought to proceed cautiously, and not torture people until they have sufficiently established all the circumstances of the case and hit on a positive track.' In this connexion Jul. Hartmann, *Matthäus Alber, der Reformator der Reichsstadt Reutlingen* (Tübingen, 1863), p. 166 writes: 'His (Alber's) sermons on hail and witches, preached in 1562, stamp him as an evangelical preacher and pastor, who through study of the Bible had freed himself from that most corrupting prejudice of his own and the following century, viz. the witch-superstition, and place him side by side with a Brenz, high above shoals of his brother preachers and pastors in the German Empire.' Cf. Paulus, 'Württembergische Hexenpredigten aus dem 16ten Jahrhundert,' in the *Diözesanarchiv für Schwaben*, 1897, Nos. 6 and 7. Felix Bidembach, Würtemberg court-preacher (*Manuale ministrorum Ecclesiae, Handbook for Young Candidates for the Church prepared in the Duchy of Würtemberg*, Frankfort-on-the-Maine, 1613), says (p. 75 ff.): 'Witches *according to the law of God*

The number of witches became so great that the magistrates began to be 'tired of condemning such people, fearing that if they went on any longer there would be scarcely any women left alive.' 'To such a height,' wrote the discalced friar Malachias Tschamser, 'did devilish wickedness grow in these credulous people; but no wonder, the devil had already deluded them with Luther.' [1]

At Freudenberg in the county Löwenstein-Wertheim, on October 23, 1591, six women and two men were executed at the same time. To one of the accused the official went on saying through all the torturing: 'You 'll have to confess, even if I kept on at you for three quarters of a year. Come, speak out, or die.' The sort of procedure that went on at these trials may be judged from the words of the attorney Andreas Bogen von Miltenberg: 'Where has it ever been read that it is lawful, on the mere word of any crack-brained fellow, without sufficient previous evidence, to imprison a respectable person—

are worthy of death.' Joh. Schopfius, abbot in Blaubeuren (*Wetterglöcklin*, Tübingen, 1602), says: 'Rulers are right in punishing witches, principally and especially because they are backed up by a plain text in the law of God, and God Himself says: "Thou shalt not suffer a witch to live" (Exodus xxii. 18).'

[1] W. Westenhofer, *Die Reformationsgesch. von einem Barfüssermönche* (Leipzig, 1882), p. 87. At Horb in Suabia thirteen witches mounted the scaffold on June 13, 1583 (p. 86). ** At Sulz on the Neckar, where the religious innovation began in 1536, numerous cases of witch-burning occurred in the last years of the sixteenth century. Some of them were downright brutal. Cf. F. A. Köhler, *Beschreibung und Geschichte von Sulz* (Sulz, 1835), and Beck, *Beilage zum Diözesanarchiv für Schwaben*, 1892, No. 20. The latter remarks: 'It is maddening to read in the minutes of the trials, how reasonably, on the one hand, these unhappy victims answered in court, and appealed to their former manner of life, and how roughly and senselessly, on the other hand, the then underbailiff Hans Jakob Schott accepted the statements wrung out by torture as satisfactory proof of their guilt.'

above all a respectable matron—of whom nobody knows anything but what is loving and good and honourable and to subject her to excruciating torture? Verily! if such a law were allowed to obtain, what wholesale destruction of the human race would be the result, especially in these days when hatred and envy are so rampant, and grow frequently to such intensity, that people have no scruple or conscience in bringing innocent fellow-creatures into peril of life and body!'[1]

A witch-trial which deserves special notice on account of its unique nature took place in 1597 in the imperial city of Gelnhausen.[2] 'At this trial,' says a report, 'it was learnt for the first time by the testimony of the sorceress, that, added to all the rest of the craftiness which Satan practised with witches, he could actually appear and act in the shape of fleas and worms.' Clara Geisslerin of Gelnhausen, widow of a day-labourer and 69 years of age, had been denounced by a condemned witch as 'a prostitute who was in league with three devils and who had dug up from their graves several hundreds of innocent children and murdered numbers of people.' After the application of the thumb-screw all sorts of questions were asked her, but, 'hardened by the devil she stubbornly persisted in her denials.' When, however, 'her feet were crushed and her body stretched out to greater length she screamed piteously and said all was true that they had asked her; she drank the blood of children whom she stole on her nightly excursions, and she had murdered as many as sixty; she named some twenty other witches who had

[1] Diefenbach, 12–18.

[2] Witch-burning had begun there in 1584; in 1596–1597 sixteen witches were condemned to death by fire and by the sword. *Zeitschr. des Vereins für hessische Gesch. und Landeskunde,* Neue Folge, vol. v. 165.

been with her at the dances; she said the wife of the late mayor was the president on the journeys and at entertainments; also she had a devil always with her in the shape of a cat with which she, also in the shape of a cat, rambled about the roofs at night.' Released from the rack she retracted all these statements wrung from her by torture and said it was all invention and not a word of it true. She begged 'in the name of God and the Lord Christ' that they would have pity on her, she had suffered much from illnesses, and her head was often in a whirl in consequence. As to what she had said about others, she did not know it herself, but had only heard it said by other people; she begged that they too might be spared. 'The honourable inquisitors' thereupon resolved that 'the delinquent must first be kept in prison' in order to see whether 'her paramour the devil would feed her,' but that meanwhile 'some of the witches she had accused must be arrested and questioned mildly, or if needs be with torture. When one of the latter 'told the very wickedest things about Clara Geisslerin, far worse and more inhuman than what she herself had confessed under torture,' the unhappy woman was again put on the rack and again she said 'yes' to all that was asked her; but after she was released again recanted everything, and 'so demented did she become that she actually invited judges and attendants to the judgment seat of God.' At a third bout of torture which lasted several hours and was characterised by 'the utmost severity,' she confessed that 'for forty years past she had committed immorality with numbers of devils that had come to her as cats, dogs, often even as fleas and worms'; 'she had murdered over 240 people old and young, had bred about seventeen children with the devils, had

murdered them all, eaten of their flesh and drunk of their blood; far and wide and for a long time she had caused terrible tempests; had nine times poured fire on to houses; had wanted to set the whole town on fire, but one of her demon paramours, the devil called Bursian, had dissuaded her from doing it because there were some more people in the town whom he wanted to turn into witches and receive homage from.' During the torture she became 'paler and more exhausted,' and after it was ended she sank lifeless on the ground. 'The devil,' so ran the judicial report, 'would not let her disclose anything more and so wrung her neck.' Her corpse was burnt.[1]

Count John VI. of Nassau intervened with preventive measures against these atrocities. On July 28, 1582, he gave orders to the justices not to proceed illegally against people accused of witchcraft nor to act on mere information given, nor were they to arrest anyone, still less condemn them to fire, without having first made sure about the case. If people were accused as witches or sorceresses, the justices must first inform themselves privately from the local magistrates, from four sworn witnesses and other unprejudiced people, as to how the accused had come under suspicion, what 'well-founded' evidence there was of their guilt, and especially what had been their manner of life from their youth upwards.[2]

[1] *Erschröckliche wahrhafftige Zeitung, wie eine Unholdin und Zäuberin, Klara Geisslerin aus Gelnhausen, nach eigenem unzweifelichem Bekanntnuss bei die* 240 *Personen gemordet, &c., endlich am* 23 *August* 1597 *vom Teufel erwürgt worden* (a terrible and truthful account of how a witch and sorceress, Clara Geisslerin of Gelnhausen, on her own indubitable confession, murdered 240 people, &c., and finally on August 23, 1597, was strangled by the devil).

[2] The ordinance in L. Götze, *Annalen des Vereins für nassauische Altertumskunde*, xiii. 327–329.

All the same during the reign of this count, down to 1600, sixteen women and four men were put to death on the charge of witchcraft.[1] A trial which went on during the years 1592–1594 is remarkable on account of the heroism of a woman who, in spite of the most cruel tortures on the rack, could not be brought to make any confession. This trial was instituted in consequence of petitions from the two parishes of Ruppenrodt and Üsselbach, urgently entreating the count's chancery in Dillenburg to rid them as soon as possible of their 'female sorceresses, whose scandalous and diabolical deeds were now everywhere notorious.' On the most paltry accusations proceedings were instituted. Things looked especially bad for one of the accused, Entgen Hentchen, because her mother and her two sisters had already been burnt as witches at Montabaur. The mother, because she would not confess, was tortured by various executioners and subjected to trial by water. A son of one of Entgen's sisters, whose wife had had a quarrel with her about a cow, stated, under oath, that, 'as he was watching the cows in the forest about four years ago, he had seen Entgen from a high mountain running along among the trees. Then an animal, in the shape of a hare but bigger than a calf and with thick feet, had run through the wood, and approached Entgen. He had set his dog, which was very fierce, at the animal; the dog, however, contrary to its nature, had run away and crouched at his feet. After seeing this he said to his relative, "This is a bad business; I now know that you are no better than people think of you and your sisters."' The torturing of Entgen began, according to usual custom, with the thumbscrew; then her shinbones

[1] *Annalen des Vereins für nassauische Altertumskunde*, xix. 106.

were belaboured with tongs, after which her arms were wrenched out of their sockets; but still she would not confess. In the minutes it says: 'Entgen Hentchen, put on the rack July 29, 1594, confessed nothing, did not make the slightest disclosure although she was treated pretty badly. On July 1, when questioned again on the rack, said she had never acknowledged Satan. Tongs and screw applied at the same time, but nothing extorted; she is insensible to pain, nothing is to be got out of her; she was the same at last as at first;' and so it went on time after time, through worse and worse martyrdom, till at last the court was obliged to dismiss her. On her husband's going bail for her she was let out of prison, but she was obliged to take her oath that she would not revenge herself for the treatment she had undergone, would do no injury to her neighbours at Üsselbach and Ruppenrodt, and that 'if required to do so at any time she would surrender herself to her gracious lord.' 'She and her husband spent all their substance defraying the costs.'

In Hesse, where formerly, on the part both of the secular and ecclesiastical courts, the procedure against witches had been moderate throughout, and where very few executions had taken place,[2] wholesale persecution began in the last decades of the sixteenth century.

'The devil is indeed let loose,' wrote Landgrave George, of Hesse-Darmstadt, in 1582, to Otto von Tettenborn, his delegate at the Augsburg Diet, 'and is raging just as much in other places as round about here; we cannot adequately describe to you the horrors

[1] From the minutes of the trial in the archives of the Germanic museum at Nuremberg, printed in the supplement to the *Augsburger Allgem. Zeitung*, 1881, No. 344 ff.

[2] Soldan-Heppe, i. 480–486.

that are going on here by the witches and sorceresses, and the amount of work this entails upon us. We had pretty nearly got rid of and put to death all the old ones and now the young ones have cropped up, and one hears no less dreadful things of them than of the old ones.'[1] The Landgrave in a criminal ordinance enjoined that, 'Whereas the abominable crime of sorcery is, through God's righteous anger, now rampant almost everywhere among women, the officials must with all diligence institute inquiries directly any person is accused of this crime and a hue and cry is raised, and to bring into safe custody such as enjoy a bad repute in public estimation.'

In the year 1585 thirty people were brought up for examination in Darmstadt on the charge of witchcraft, seventeen were put to death, seven were banished from the land, and one of them committed suicide.[2] A witch burnt at Marburg in 1582 said on the rack that 'the devil made her invisible, so that she could go into stalls and stables and blow poison at the animals; a few years before she had pledged herself to the devil with her blood, which he had scratched out of her forehead with one of his claws; her mother, who was a queen among the witches, had been present.'[3] In 1583 a woman and her two daughters were condemned to death at the same time.[4] In Lower Hesse witch-trials did not become frequent till the beginning of the seventeenth century.[5]

[1] v. Bezold, *Briefe Johann Kasimirs*, i. 501.

[2] Soldan-Heppe, i. 487–488. ** According to the *Warhaffte und glaubwurdige Zeyttung von* 134 *Unholden* (Strasburg, 1583) the Landgrave William had ten women burnt in Darmstadt on Aug. 24, 1582, 'and amongst them was a boy of seventeen and a girl of fourteen.'

[3] *Theatr. de veneficis*, 211–212. [4] Kirchhof, *Wendunmuth*, ii. 550.

[5] Soldan-Heppe, i. 488.

But in Hesse as elsewhere 'there were many who said and believed that among Christians there were no sorcerers and wicked people who associated thus with the devil.' For this reason, seeing that persecution of witches had practically not yet begun there, Abraham Sawr of Frankenberg, advocate and procurator of the court tribunal at Marburg, wrote in 1582 a 'Kurze, treue Warnung, Anzeige und Unterricht über Hexen, Zauberer und Unholden.' 'Experience shows,' he wrote, 'that this sin is gaining ground among us day by day. People so wicked as this deserve to be burnt with fire like heretics, whom with our own eyes we see punished in plenty.' In the actuality of witch-flights, transformations of human beings into animals, carnal mixing with the devil and so forth, Sawr did not believe; all this was mere 'jugglery and hallucination.' 'All the same, however, punishment should ensue, because witches and sorcerers, after their scandalous and presumptuous denial of God and their voluntary surrender to the devil, declared in their confessions and depositions that all these things veritably happened.' The extorted confession of that Marburg witch of 1582, who said 'the devil made her invisible,' Sawr explains as follows: 'Whatever is natural is possible to the devil. You may well believe that in the night, when only few people were about, the devil could hide her and make her invisible.'[1] Paul Frisius, 'student of Holy Scripture,' dedicated to the Landgrave George of Hesse-Darmstadt, in 1583, a tract, 'Von des Teufels Nebelkappen, ein kurzer Begriff den ganzen Handel von der Zäuberei belangend,' and expressed his pleasure at the fact that the Landgrave punished witches as they

[1] *Theatr. de veneficis*, 204–214.

deserved; by his tract he hoped, he said, 'to stimulate others to show the same Christian zeal and to follow George's example.'[1]

As in other territories, so also in the Waldeck district, a provincial ordinance was issued in 1583 to the effect that, 'whenever suspicion has been aroused against any person on account of sorcery, such person shall be taken into custody, due allowance to be, however, made for perjured evidence.'[2]

In Osnabrück in 1583, under the direction of the burgomaster Hammacher, who had studied at Erfurt and Wittenberg, witch-burning went on to such an extent that in the short space of three months 121 people in the town had perished at the stake. In neighbouring districts also in the same year the sacrificial fires blazed; in Iburg twenty people were burnt to death, in Verden fourteen.[3] 'Anno 1589,' says the chronicle of Joachim Strunk, 'at Osnabrück in Westphalia 133 sorcerers were burnt, and it happened in this wise: On the Blockensberg about 8000 sorcerers from many lands, rich and poor, young and old, had assembled. Now when they withdrew from the Blockensberg they all repaired to different cellars (fourteen in all) at Nordheim, Osterode, Hanover and Osnabrück, and drank up about five fuders of wine. Two of them at

[1] *Theatr. de veneficis*, 214–228. Concerning the 'weather-making' of the witches, Hartmann Braun, pastor at Grünberg, preached as follows, in 1603, appealing to John Brenz and others: 'As soon as the devil, who has supreme power in the air, notices that a storm is brewing, he gives orders to the witches to fetch out their cauldrons and to begin boiling and stewing; the witches then think they have made the storm themselves.' *Drei Christliche Donnerpredigten*, 117–126. Cf. above the statements of Molitoris, Weyer, Witekind, and so forth, pp. 254–256, 312–316, 326 f.

[2] Curtze, 538.

[3] *Mitteilungen des Histor. Vereins zu Osnabrück*, x. 98–101.

Osnabrück, who had drunk themselves full and fallen asleep, were found by the servant of the house still asleep the next morning. The servant at once told his master about them, and the latter hurried off to the burgomaster, who put them in prison and had them examined on the rack. They at once denounced ninety-two others in the town and seventy-three in the country, all of whom confessed that with their arts of poisoning and sorcery they had killed about 350 people, had lamed sixty-four, and brought many to ruin through the love of sensuality. Whereupon 133 were straightway burnt in the town, but four, the most beautiful of them, were carried off alive into the air by the devil, before they were taken to the fire.' [1]

At a great witch-trial in Verden in 1617 it was officially attested in the notary's minutes that according to the report of 'three chirurgeons' no fewer than four accused people, who died in prison, must have been put to death by the devil incarnate.[2]

A man 'especially renowned both for his high culture and for his zeal in having witches burned' was Duke Henry Julius (1589–1613) of Brunswick-Wolfenbüttel. The Leipzig bookseller Henning Gross praised him in this double character as 'a light of the age,' and dedicated to him in 1597 a great work on ghosts, spiritualistic apparitions, and all sorts of diabolical sorceries which he described as 'very profitable for theologians, indispensable to jurists, and altogether useful for the whole of Christendom.' [3]

[1] *Neues vaterändisches Archiv*, Jahrg. 1826, Bd. ii. 226–227.

[2] *Ibid.*, Jahrg. 1824, Bd. ii. 299–300, 303–305; p. 291, where there is mention of witch-trials in the Ohsen district (1583), and in the town of Buxtehude.

[3] Grosius, *Magica*, Preface.

The Duke as a dramatic poet[1] used the stage also in order to impress on the great lords who attended the performances the justice of his proceedings against witches. 'God has commanded,' he makes Susannah's father Helkia say in his 'Tragi-comedy of Susannah,' 'that no witch shall be suffered to live, but shall be burnt by fire; for sorcerers and sorceresses apostatise from God, deny God, join themselves to the devil, and with him help work injury to other people'; 'all necromancers, who make themselves invisible, practise sorcery'; the custom in vogue with the Catholics of blessing and crossing themselves, the Duke reckoned among the things no less forbidden by God than sorcery and witchcraft.[2] In 1593 he admonished the preachers not to connive at idolatry and sorcery, nor think that these crimes were only to be punished by church penances. 'Henry Julius,' said the preacher Steinmetz in a funeral sermon on the Duke, 'punished witches and sorcerers severely, in accordance with the Word of God.' At Wolfenbüttel it often happened that ten to twelve witches were burnt on *one* day; the place of execution in the Lechelnholz, as a chronicle reports, was just like a small forest from the quantity of stakes erected there. Among those condemned to death by the Duke in 1591 there was an old woman of 106, who was first dragged along and then burnt.[3]

As regards the different kinds of torture inflicted,

[1] See the present work, vol. xii. 134 ff., 172 ff.
Schauspiele des Herzogs Heinrich Julius, 24–26.

[3] Schlegel, ii. 367. Rhamm, 75–76. 'Beiträge zur Geschichte der Stadt Braunschweig,' in the *Neues vaterländisches Archiv*, Jahrg. 1826, Bd. ii. 230–231. Concerning the terrible trial of the lawyer Henning Brabant, town prefect of Brunswick, see the present work, vol. xii. p. 380, and above, p. 212.

Duke Julius had recently, in an ordinance of February 3, 1570, fixed the order of the successive grades. The first grade included the stool, binding the hands firmly behind the back, thumbscrews and scourging. The second grade added tight cording which cut into the body and also the screwing on of stocks. At the third grade the victim's limbs were dislocated on the rack or, at the discretion of the Ducal Chancery, according to the gravity of the crime, recourse was had to 'other suitable means' which intensified the degree of torture. In a trial at Arnum, a woman who under torture 'fell asleep at the devil's instigation,' i.e. collapsed in unconsciousness, 'was tortured with the leg screws, and at the same time wound up, sprinkled with burning brimstone and scourged with rods.'[1] The Lüneberg lawyer Hartwig von Dassel, a kindred spirit of Duke Henry Julius, recommended in 1597 the most severe procedure against witches. In sorcery, he said, there lay a secret crime; the witches surrendered themselves to the devil in secret, assembled at night for their pranks and, 'as was known,' practised their arts for the most part in secret also. In the case of secret crimes exceptional procedure was permissible: the rules of ordinary trials did not hold good here; the infamy of the crime justified free handling of judicial measures. As Baldus, 'the most renowned representative of Roman law,' had already taught, as Bodin also taught, in sorcery, supposition and surmise were sufficient proof, so too von Dassel

[1] Rhamm, 22–24. Concerning instruments of torture used at witch-trials, cf. *Archiv des Hennebergischen Altertumsvereins*, v. 74 ff., 168. *Mitteilungen des königl. sächsischen Vereins*, iii. 94. ** Concerning the bestial carousing of the members of the criminal court who were present in the torture chambers, under Duke Julius of Brunswick, see the report in Scheible, *Schaltjahr*, i. 360–361.

said: 'Conjecture and verisimilitude have the force of full proof in such cases.'[1] In such crimes it is lawful to go on mere 'presumptive evidence,' even to the pronouncement of sentence of death. As a lover of justice and right he recommended the most revolting and terrible means for extorting confessions and went into the most terrible details of torture.[2]

To such an extent was Duke Henry Julius dreaded as a witch-persecutor that at Wernigerode, where also rack and fire often warred fiercely against witches, the threat was frequently held up to the accused that if they would not confess they would be sent to Wolfenbüttel—'and then they would have to speak out.' A man accused of sorcery at Wernigerode said when he was taken prisoner 'he would not like to be sent to Wolfenbüttel, because the Duke was very hard on numbers of poor people.'[3]

Among the pastors in that region there were witch-persecutors like the preacher Sindram in Herzberg,[4] but also merciful ones like Simon Krüger in Hitzacker. When ten witches were burnt at this last place in 1610, Krüger wrote that 'this affair had not only caused him a great deal of work and trouble, but also thousands of heart-aches and tears.' 'It was declared that very many of these people had died innocent, and that the executioner had acted deceitfully in the trial by water, in order that he might earn more money.'[5]

[1] 'Coniecturae, verisimilitudines in tali casu vim plenae probationis obtinent.' Cf. Rhamm, 20.

[2] Trummer, 119–122. Soldan-Heppe, i. 358–359.

[3] Fuller details concerning witch-trials in the Harz, from the Wernigerode minutes after 1582, are given by Jacobs in the *Zeitschr. des Harzvereins*, iii. 802 ff., and iv. 291 ff.

[4] *Zeitschr. des Harzvereins*, iii. 798.

[5] *Neues vaterländisches Archiv*, Jahrg. 1822, Bd. ii. 66–67.

To the very small number of rulers, who in their decisions as to persecution, life and death maintained a calm and deliberate attitude, belonged Count Heinrich zu Stolberg, who on this account incurred from his fellow-noblemen the reproach of being 'unwilling to exercise justice in matters of witchcraft.'[1]

'Where the rulers are dilatory,' it says in a 'Kurtze Traktätlein über Zauberei,' which appeared after 1573, 'the people must egg them on and clamour for coals and fires, because the number of witches, as is sufficiently shown by the trials, grows larger and larger from year to year.'[2]

Thus, for instance, at a trial at Ülzen in 1611, 'it was learnt' under continuous excruciating torture, from the lips of an accused that 'at the last Walpurgis night she and two other women had ridden off from the roof of the house on a black horse. On the Blocksberg such a numerous company had been assembled that out of a bushel of herbs which were distributed they only received one herb apiece.'[3] On the Hirschelberg near Eisenach, according to a 'neue Zeitung,' in 1613, 8000 people gathered together, and amongst them 1000 men.[4] And 'how unspeakably horrible were all the arts of many thousands and tens of thousands which threw the whole nation into terrors and consternation!' 'One could scarcely have believed it,' said the above-mentioned 'Kurtze Traktätlein über Zauberei,' 'if one had not learnt from personal experience all that witches and sorcerers are able to do; how they can kill and eat

[1] *Zeitschr. des Harzvereins*, iii. 809-813. [2] See below, p. 505.

[3] *Zeitschr. des Harzvereins*, xi. 467.

[4] 'Zeitung von der greulichen Zauberei in Deutscher Nation.' Erfurt, at Jakob Singe's, 1613.

up hundreds of little children, cause gruesome pestilences, poison people by eggs which they lay themselves and bring into the market, change themselves into spiders and toads,—as numbers of them who have been burnt to death themselves confessed—whistle for the devil and he is at once on the spot to do their behest.' For instance, an Erfurt witch 'to please her daughter, often (especially in September and October) had a soldier fetched away on a goat from the camp before Königsberg and brought through the air to Erfurt, and then in a few hours taken back to the camp.'[1] When the Halberstadt official, Peregrinus Hühnerkopf, one of the most pitiless of torturers, who at Westerburg in 1597 could always manage to make one trial bring forth another, had succeeded by means of persistent torture and the influence of a witch-drink, an 'arcanum of the executioner,' in bringing one of the witches to confess that 'she had bewitched a troop of devils into her husband's beard, and that they would have to be driven out by other witches,' the bench of magistrates at Magdeburg declared the woman guilty and sentenced her to death by fire.

In the imperial town of Nordhausen in 1573 two women were burnt to ashes for having boasted that they were able in the devil's name to bewitch people with vexing spirits and then to drive them out in the name of God.[3]

The manner in which every untoward event was

[1] Falk, *Elbingisch-preussische Chronik*, edited by Toeppen (Leipzig, 1879), p. 172.

[2] *Neue Mitteilungen aus dem Gebiet historisch-antiquarischer Forschungen*, vi. Heft iv. 67–70. *Zeitschr. des Harzvereins*, iii. 801, 891–893.

[3] Förstemann, *Kleine Schriften zur Gesch. der Stadt Nordhausen*, 102 ff. Concerning witch-burning at Nordhausen in 1602, cf. *Zeitschr. des Harzvereins*, iii. 824.

turned by the judges into an 'evil indicium' betraying sorcerers and devil's sweethearts was seen in 1605 in the town of Hanover, where the two preachers 'for the glory of God, in defiance of the devil, and for the welfare of the town' denounced two witches to the judges. As a ground of suspicion it was alleged against one of them that the preacher had fallen down in the street, and that when he got up again the witch was seen behind him. This suspicion was enough to determine the faculty of law at Helmstadt to give it as its opinion that 'the person in question must be brought before a criminal court and, having duly confessed, be burnt to death.'[1]

'One must take notice of everything where witches are concerned,' said the 'Kurtze Traktätlein über Zauberei,' with a view to the 'wholesome fear of all evangelical Christians, because one can often detect them by their countenance, their gestures, their words, as is sufficiently shown by the experience of trials at Halberstadt, Quedlinburg, Rotenkirchen, Elbingerode, Nordhausen and elsewhere in 1573 and the following years. At first they will not confess much, but if the executioners go on persistently interrogating them, all their devilish arts come out at last.'[2]

Everywhere the funeral piles blazed on high.

At Göttingen since 1561 the magistrate had been almost incessantly occupied with witch-trials: 'the sorceresses, as usual, informed against each other, and the inquisitors proceeded so sharply that scarcely any woman was safe from the rack and the stake.'[3]

[1] Schlegel, ii. 368–370. ** Cf. Hartmann, *Gesch. der Stadt Hannover*, 197 ff., where about a dozen trials in Hanover are described.

[2] The *Traktätlein* was accordingly published after 1573.

[3] *Zeitschr. des Harzvereins*, iii. 798.

At Quedlinburg, where the executions began in 1569, there were about sixty-six witches burnt in 1570 and about forty in 1574. At Osnabrück in 1589, 133 witches were burnt.[1] At Rostock, in 1584, sixteen witches were condemned to death by fire,[2] and at Hamburg eighteen in the years 1576–1583.[3] In 1618 a Berlin gazette reported that at Hamburg fourteen wicked women and one man had suffered death by the sword and fifty other people were in prison on account of witchcraft.[4] While there also the activity of the judges schooled in the Roman law was operative in the most gruesome manner, the annals of the conventual bailiwick at Lübeck only record three trials against witches in the whole of the sixteenth century; there was altogether great reluctance in this jurisdiction to take up charges against sorcery.[5]

In the Brandenburg Mark, where there was strict adhesion to the stipulations of the criminal code of Charles V. that capital punishment for sorcery should only be inflicted when real injury had been done, wholesale executions seldom took place. Only in 1565 were there as many as eight witches burnt. After this, as far as we can tell from the minutes, there were only single trials in the years 1569, 1571, 1572, 1576, 1577, 1579,

[1] *Zeitschr. des Harzvereins*, iii. 800. Niehues, 31–32. ** See now also Moser in the *Zeitschr. des Harzvereins*, 1894, p. 120 ff.

[2] Wiggers, *Kirchengesch. Mecklenburgs*, 157, note 8. ** Concerning the numerous cases of witch-burning in Mecklenburg, see Boll, i. 282 ff. Concerning the statements of the Rostock preacher Nik. Gryse, see Paulus, 'Zur Gesch. der Protestantisierung Mecklenburgs,' in the *Histor.-polit.* Bl., Bd. 128, pp. 465 ff., 553 ff., and 621 ff.

[3] Trummer, 111, 112.

[4] Opel, *Anfänge*, 119–120.

[5] Trummer, 115, 135–136. ** Concerning the Lübeck witch-trials of the seventeenth century see *Mitteilungen des Vereins für Lübeckische Gesch.*, Hefts iv. and vi.

1581, 1583, 1584, 1590–1593, 1604.[1] 'The Jews, especially, became most highly infamous on account of all sorts of necromantic, devilish arts.' On the Wednesday before Christmas Day, 1573, at Berlin, the Jew Lippold, mint-master of the deceased Elector Joachim II., after having confessed under repeated infliction of torture that he had allured the Elector by sorcery, and had poisoned him with a magic drink, was first pinched ten times with red-hot tongs, then his arms and legs were attached to gears and he was split asunder into four parts. His entrails were thrown into the fire, together with a book on magic found in his possession, and which contained amongst other things instructions 'how one, two or more devils could be conjured into a glass, sealed up and kept in it, and in case of necessity made to answer all and any questions.' A mouse which got under the scaffold during the execution, and was driven out by the heat, was thought to be the sorcerer's devil who, after having plunged his confederate Lippold into ruin, left him in the lurch.[2] On June 2, 1579, twenty-four Jews were burnt at Frankfort-on-the-Oder.[3]

When the Elector John George, in the autumn of 1594, went on a hunting expedition in the Neumark, 'the poor people' at Friedeberg complained to him of their pastor who, they said, 'was in league with the prince of hell; he housed, encouraged, conjured and compelled the devil to take the flitches of bacon from the people,

[1] v. Raumer, 'Hexenprozesse,' in the *Märkische Forschungen*, i. 238–244; Heffter in the *Zeitschr. für preussische Gesch. und Landeskunde*, iii. 523–531.

[2] 'Bericht von Lippold, Juden, so zu Berlin gevierteilt worden,' 1576. See Fidicin, v. 427. Moehsen, 518–521.

[3] Weller, *Annalen*, ii. 436, No. 596.

and to steal the meat which was drying in the chimneys, besides beer and other things, and bring them to him; he hid them all in his cellar, and he caused any persons who remonstrated on the matter to be terribly plagued by the devil.' The pastor was arrested and taken to Küstrin as a supposed magician; the gates of Friedeberg were closed so that no one could go in or out; the inhabitants were supplied with all their necessaries, for if any stranger came in from outside, he, too, would be taken possession of by the devil.[1]

In 1614 Adam von L. and his son Joachim, at Bellin in the Ukermark were accused of sorcery and of 'daily intercourse with hellish spirits.' On a judicial examination there were found in their possession, among other things, 'books on magic with all sorts of conjurations by means of which the devil could be brought into a circle and made subservient, and how devils could be exorcised from those possessed by them; further, a skull; iron chains, which from their appearance seemed to have been taken from a gallows; three steel mirrors and one glass mirror, inscribed with characters, in which visions were seen, and spirits appeared; a mirror in which the four archangels were in the habit of appearing, two small bones in a box, apparently of quite little children, still almost fresh and with the skin hanging to them; and other things appertaining to magic.' 'There was also found a diary which had been kept by them regularly, according to which they had every day seen frequent visions in which angels, devils and subterranean spirits, pigmies so-called, had appeared, and from which they had sought advice in illness and had

[1] From the Chronicler Hafftitz in the *Zeitschr. für deutsche Philologie*, xiv. 461–462.

received recipes, who had read them the papers, and, particularly on feast days, had preached them sermons. Sometimes they invited the spirits to dinner. Joachim von L. had two spirits whom he had made subject to him; the one, Pigmaeus, who dwelt under the servants' table, and who taught him to make the philosopher's stone; the other, Celus, who dwelt behind the oven and at times played fine music to him. Besides these they had other devils and familiar spirits, one of which had to wheel earth and treasures for L.; and more of such-like devilish nonsense is recorded in the diary. It is also told therein how they made images of wax to bewitch and plague other people with, especially to annoy a certain gentleman, von Ramin. In this diary there was also mention of some of the nobility who appeared to have participated in the work.'[1] In 1618 there appeared in Berlin, under the name of Hans Kaspar von Schönfeld, an adventurer, who described himself as a delegate from the 'Rosicrucian Brethren at Frankfort-on-the-Maine,' possessed two books of devil's arts, and was reputed to be able to 'make evil spirits appear to other people.' The Elector had him put in prison and interrogated about the 'Rosicrucians' and about his arts, amongst other things whether he understood

[1] v. Raumer, 'Hexenprozesse,' in the *Märkische Forschungen*, i. 250-252. Joachim von L. (the name is not given in full by Raumer) escaped punishment by flight; the father was imprisoned 'because he had quite as much to do with sorcery and with worshipping the devil as the son, and because bones of young children had been found in his possession, some of them quite fresh, and without doubt, so it said, bones of unbaptised infants that had been cut out of their mother's bodies, for it is known that these arts require ingredients of this sort.' 'Against such a heavy crime no privilege of nobility counted.' The faculty of law at Frankfort-on-the-Oder decided that the elder L. must first be tried in Spandau; 'it does not appear, however, what came of the affair.'

the art of 'bringing wolves into the preserves to injure the game.'[1]

How, according to the opinion of contemporaries 'witches and devil's arts often remained in abeyance for very many years, and then in the providence of God sprang up again, and had accordingly to be punished all the more severely,' is shown by a trial conducted against a woman of eighty of high position, Sidonia von Bork. 'Because in her youth,' says a report, 'she was the most beautiful and the richest lady of all the Pomeranian nobility, she so bewitched Count Ernest Ludwig von Wolgast that he promised her marriage. The Dukes of Stettin opposed this "unequal marriage," and thereby inflamed the spirit of revenge in Sidonia. Now, whereas instead of the Bible, "Amadis," in which are many instances of ladies who, forsaken by their lovers, revenged themselves by sorcery, was her favourite pastime,[2] Sidonia let herself be misled by the devil, learnt also, when advanced in years, something of witchcraft from an old woman, and by means of her knowledge bewitched the whole principality, to wit six young lords who all had young wives, in such wise that they all remained without heirs.' These crimes, however, did not come to light until Duke Franz, who succeeded to the government in 1618, 'as a great enemy of witches, caused them to be tracked out everywhere in the land and burnt to death.' These witches, 'under torture,' accused Sidonia, who, after her engagement to Duke Ernest Ludwig was cancelled, spent her life in the stillness of

[1] 'The answers are unfortunately missing; also it does not appear what was the issue of the trial; it is merely stated that this adventurer was presumably not a von Schönfeld, but a disguised Jesuit of the name of Behrends.' v. Raumer in the *Märkische Forschungen*, i. 254.

[2] See concerning *Amadis*, vol. xii. 225 ff.

the convent of Marienfliess and at the time of the accusation was in her eightieth year. She was put into prison, subjected to the most excruciating torture and thereby brought to 'confess' the misdeed she was charged with against the prince's family. The prince offered her a free pardon if she would free the rest of the princes from this evil spell. Her answer, however, was that she had locked up her witch-machinery in a certain receptacle and thrown the key into the water. She had asked the devil if he could get back the key for her, but he had answered, 'No, it was forbidden him.' 'In all which,' says the report, 'one can see the judgment of God.' 'And so in spite of the most earnest intercession from neighbouring electoral and princely courts she was beheaded on the place of execution before Stettin and then burnt'; before her execution her body had been mangled and torn by repeated torture.[1]

Frightful cases of witch-burning occurred in the Saxon Electorate and in the Saxon principalities.

The Elector of Saxony was himself 'thoroughly

[1] Horst, *Zauberbibliothek*, ii. 246–248. ** The trial of Sidonia von Bork, as far as cruelty and credulity in the judges go, was far surpassed even by that of Frau von Dobschütz, wife of the master of the hunt (1591). This trial is described more in detail in the *Monatsblätter für Pommerische Gesch.* 1898. Cf. M. v. Stojentin, 'Aktenmässige Nachrichten von Hexenprozessen und Zaubereien im ehemaligen Herzogtum Pommern,' in the *Zeitschr. für deutsche Kulturgesch.* 2. *Ergänzungsheft* (Weimar, 1898), p. 31 ff. Here at p. 18 ff. other witch-trials in Pomerania are also described. This publication makes us acquainted with the cruelty of the procedure which found in Duke John Frederick a zealous supporter, as well as with the immense spread and long duration of these trials. Many of the incidents here mentioned make one's hair stand on end. Frau von Dobschütz, although in a state of pregnancy, was stretched on the rack (p. 34)! Even denunciations from evil spirits, coming from the mouths of children supposed to be possessed, were taken down seriously, and confirmed by faculties of law (p. 43)!

grounded in occult arts.' He declared himself able to make gold; he made use of his geomancy to track out secret Calvinists;[1] he was in alliance with all sorts of 'thaumaturgists' and received instructions from them. Ambrosius Magirius informed him through astrology of all that might bring injury to himself and his electorate. Doctor Pithopöus offered 'to protect him by certain magic defensives from all bad weather, either natural or produced by witches, which was aimed either at buildings or at fields, trees and persons.' John Hiller taught him a special kind of 'magic operation' by means of which 'all people, whom no natural means whatever could help, might be set right again.'[2] Thus with regard to bewitched cows he gave the following instructions for one of his dairies: 'Draw the milk of all the cows, pour it into one vessel, make an iron red hot and thrust it into the milk in the name of all the devils, leave it to cool, and then the sorceress will be burnt and injured on her body so that the mark of the burning may be seen. If, further, you touch the bottom of the vessel with the iron, she will have to die.'[3]

In 1572 Augustus issued a criminal ordinance in which he intensified the decree of Charles V., ordaining that sorcerers and witches be burnt to death, even if they have injured no one; simple fortune-telling, also, he made punishable by death.[4] A man who in 1586

[1] See vol. viii. 196.

[2] v. Weber, *Kurfürstin Anna*, 283–291. See above, vol. xii. p. 289, n. 1.

[3] Richard, *Licht und Schatten*, 146–147.

[4] *Codex Augusteus*, i. 117. Cf. Soldan-Heppe, i. 411, and our statements above, p. 295. Benedict Carpzov, styled 'the lawgiver of Saxony,' said later on that not sorcery only, but the denial of the reality of demoniacal compacts, must be heavily punished. See Horst, *Dämonologie*, i. 215.

had endeavoured to find lost property by magic means died under the hand of the executioner.[1]

'Countless numbers,' so it was complained, 'were saturated with witchcraft and devil's arts, so that people were filled with fear and terror of them.' In Leipzig, in September 1582, two grave-diggers from Grosszschocher, 'who had caused great mortality by magic drinks, were tortured with burning tongs and stretched on the wheel.' 'Their sorcerer wives and mothers-in-law who had raised terrible tempests and carried on with the devil for a long time, were burnt to ashes.' In the same month a grave-digger at Leipzig was punished with the wheel 'because he had killed twenty-two people by devil's arts,' the particular means used being the poison of toads and vipers; his servant was treated in the same way.[2]

In the neighbourhood of Jena there was 'a sorcerer to whom the devil had pointed out a number of herbs by means of which he could restore the sick to health.' In the case of a carpenter with whom this sorcerer had formerly lived in enmity, the cure failed. The sorcerer, therefore, was accused of being a poison-mixer and he said on the rack that 'the devil had always been at his side and had notified to him when people would come to him, and had always instructed him as to what he was to give to those who were present and to those who were not themselves present.' 'On this his confession he was speared and afterwards burnt.'[3]

Specially noteworthy are thirty-five verdicts which the bench of justices at Leipzig pronounced in 1582.[4]

In 1583, for instance, a woman of eighty-six was put

[1] Carpzov, *Pract. nova*, i. 332, No. 31. [2] Heydenreich, 176–177.
[3] Albrecht, *Magia*, 207–208. [4] Carpzov, *Pract. nova*, i. 334–345.

to death by fire because, on the rack, the confession had been wrung from her that she had committed immorality with the devils Lucifer and Rauscher.[1]

Another time a woman was burnt to death because of her confession on the rack that she had learnt witchcraft from a female cooper, &c., &c.[2] In Dresden, in 1585, a witch was burnt because, according to her own statement, 'she had so bewitched a woman that, by the judgment of God, she gave birth to four dumb children.'[3] All this was accepted by the judges as 'piteous truth,' they even believed the statement of a nine-year-old girl from a village near Dresden, that she had had a child by the devil. 'To the fire, to the fire with all the devil's crew,' urged again and again the above-mentioned 'Kurtze Traktätlein über Zauberei'; 'we may feel inclined to have pity and mercy when we see so many hundreds being burnt in the Saxon land; but it can't be otherwise, for God wills that all sorcery should be punished with death, and the arts of magic grow worse and worse.'[4]

When, in 1612, Joachim Zehner preached a still sterner crusade against witches,[5] in the small domain of the county of Henneberg, which had fallen under the Saxon domination, there had already been 144 cases of witch-burning within seventeen years.[6] Sentences of death continued to be pronounced there on the strength

[1] Carpzov, i. 335, No. 5. [2] Carpzov, i. 339, No. 23.

[3] Horst, *Zauberbibliothek*, iv. 357. In 1582 Abraham von Schönberg was accused by Bastian Flade at Dörnthal of having kept his wife in prison for fifteen weeks on the mere statement of Hans Eilenberger, who accused her of sorcery, and of having afterwards tortured her to such an extent that one of her arms was mutilated and in consequence of her 'confessions' she had been ruined in health. Fraustadt, i^b. 329.

[4] Without place and date; printed after 1573, cf. above, p. 505.

[5] See above, p. 369. [6] v. Weber, *Aus vier Jahrhunderten*, i. 376–377.

of 'confessions' concerning which the members of the bench of justices at Coburg wrote once: 'From the princely county of Henneberg there have come before us a great number of cases of accused and imprisoned people who have confessed multitudes of things which are scarcely conceivable: for instance, that they dug up dead children, belonging to so-and-so and so-and-so, burnt them to ash and with the powder destroyed field-crops and practised other arts of sorcery. When, however, the government at Meiningen caused the churchyards to be examined the said little children's graves, coffins and bodies were found whole and intact.' 'One person said under torture that she and her accomplices had at a stated time stolen a large quantity of wine from the publican's cellar; but the publican on being interrogated stuck to it that he had experienced no such loss.' Examples of this sort 'might be given in plenty from still extant minutes and reports, if only we had any hope that our opponents would thereby be moved to consideration and to the exercise of seemly moderation.'[1]

These opponents were to be found in the ranks of the Coburg preachers, who, in the open pulpit, accused the lawyers of the place of not proceeding against the witches with sufficient severity, especially as regards torture.[2] The lawyers answered that though they were by no means ready, as was falsely said of them, to throw overboard the use of rack and chains and tortures, and thus put a stop to the trials and the extermination of witches, yet they must go to work conscientiously in their office and not trust every outcry and suspicion. 'Let each one do his duty; if things do not fall out according to everyone's liking and if the witches are not taken in

[1] Leib, 17.

[2] See above, p. 404 f.

cartloads or troops to the stake, let us realise that such is an impossibility and throw what blame there is on God.'[1] 'Although far more than 100 witches have been handed over by us to the Inquisition, and most of them condemned to torture and finally to death, we are forced unanimously to declare that the longer and the oftener such cases come under our observation the more anxious we grow and the more difficult becomes our task. Only think what numbers of people, solely in the district of Coburg and Heldburg, have been tortured more than once and yet have confessed nothing, but have persisted in declaring their innocence, notwithstanding which there has been an uproar in the pulpit because they were not put to death. On the other hand, it is never, as far as we know, considered that this or that person has undergone too much pain, though the Law should be quite as much, indeed far more, concerned in protecting the guiltless[2] than in condemning the guilty.' 'It was indispensable that the witches should be allowed counsel to defend them, as was unanimously declared by the Ingolstadt lawyers in 1590, and by those of Freiburg in 1601.[3] Further, the court should not proceed to pass sentence of death on the strength of crazy "confessions" from the lips of people undergoing torture.'

Unjust sentences were also condemned by the Protestant theologian Meyfart, who with the deepest emotion described the tortures which he had personally witnessed.[4] 'I have myself seen (and indeed marvelled that such things could be done) the torturing of women who were no whit more sensible than eight-year-old

[1] Leib, 2 ff., 14–15.
[2] *Ibid.* 16.
[3] *Ibid.* 66.
[4] See above, p. 406.

children, and when they were driven to "confess" things more idiotic than the brain of any fever-stricken patient might conjure up in wild delirium, they had forsooth to die.'[1] 'What will the crazy old people do? You will find old women ready to accuse younger ones of having given birth to children not bigger than a finger. I am speaking the truth, for I myself once heard an old woman stubbornly persist in such a palpable absurdity. I could even tell of far more horrible and melancholy things did not my pen shrink from recording them.'[2] 'The prisoners are doctored with a special decoction which deprives them of all reason and sense so that they have no scruple in making the most impossible statements.' A peasant declared that he had 'danced in the air with Herodias and flown round in the air with Pilate'; others said that 'in one moment of time they had been in England, Spain, France, Greece and Persia, and eaten and drunk in the palaces of the emperors, kings and princes'; others again that 'they had passed through tiny chinks, through which even a mouse could scarcely creep, and got thus into cellars where they had caroused, and that they had changed into cats, magpies and ravens.' 'These preposterous absurdities are highly boasted of by our inquisitors.'[3]

Again and again Meyfart comes back to the charge, based on his own experience as an eye-witness, that it was only 'the intensity of their sufferings which drove the tortured victims to accuse themselves sometimes of the most ridiculous things—but often also of the most scandalous villainies.' 'The subtle Spaniard and the wily Italian have a horror of these bestialities and brutalities, and at Rome it is not customary to subject a

[1] Meyfart, 404. [2] *Ibid.* 487. [3] *Ibid.* 484–485.

murderer or street-robber, an incestuous person, or an adulterer to torture for the space of more than an hour'; but in Germany things have come to such a pass that torture is kept up for a whole day, for a day and a night, for two days and nights, even also for four days and four nights, after which it begins again. Meanwhile the executioners are at liberty to ply the wretched prisoners with fresh torments, till at last the 'confession' is extorted and with joy caught up by the judge and by the journalists who describe it with their own touch; this forsooth, as were the imprisonment with irons, chains and bands not punishment sufficient.[1]

Even the most brutal torments were not regarded as 'torture.'

'I will not dilate on the continuous watching to which the prisoners are subjected, on the cruelty which condemns them to sit always between two guards who will not even allow them to sleep, but if in the course of nature the poor creatures' eyes happen to close, instantly poke them with pointed goads. And even this must not be reckoned torture! I need not tell how the prisoners are fed only on salted food, and how all their drink is mixed with herring-pickle, and no drop of pure, unadulterated wine, beer, or water is allowed them, but raging thirst is purposely kept up in them.' 'But this cruel, raging, devouring thirst the inquisitors account no torture!' When the jailer fixes his instruments to the prisoner's legs, when the captive is pressed like the must in the wine-press and stretched as the tanner stretches his hides, all this forsooth is no torture.

And if by these means any person has been brought to 'confess,' it is read out on the place of execution,

[1] Meyfart, 468.

it is recorded in the register, it is announced in writing to the faculties, it is reported to the princes and rulers that 'she, or he, has confessed voluntarily without torture.'[1]

'And what,' Meyfart goes on, 'mean the words: an accused' (he calls her Margaret), 'before the assembled bench has confirmed of her own free will the confession which she made under torture? This is what they mean: When Margaret, after fiendish torture which she was no longer able to endure, at last "confessed," the executioner addressed her as follows: "You have now made your confession; will you again deny it? Tell me now while I am still at hand, and if so I 'll give you another dose. If you recant to-morrow, or the day after to-morrow, or before the court, you will come back again into my hands, and then you will learn that up till now I have only been playing with you; I 'll plague and torture you in such a way that even a stone would cry out in pity." On the appointed day of the assizes Margaret is taken in a cart to the court, with her hands bound so tightly that the blood oozes out, and with chains on her body. Round her are the jailers and the executioners, behind her follow armed men; after her statement has been read out the executioner himself asks Margaret whether she abides by it or not, so that he may know how to proceed. Thereupon Margaret ratifies her "confession." Is that a voluntary confession? Coerced by such inhuman, such more than brutish torture, watched and guarded by such brutal fellows, bound with such hard ropes, is that freedom?' &c., &c.[2]

It is only by means of torture also that the tormented victims are made to denounce innocent persons 'who

[1] Meyfart, 465, 483. [2] *Ibid.* 423–424.

are then in their turn driven by agony to accuse themselves of crimes which they have never committed.' I myself have heard and seen how the day after, or the third day, the judge will bring the person denounced face to face with the person who has made the charge under torture, and then the accuser will frequently recant and declare that he or she knows nothing but good of the accused. At a well-known place it happened once that a bloodthirsty official brought a thoroughly blameless burgher woman face to face with an old woman who had been tortured three days before, and the burgher woman defended herself fearlessly against the charge. The old woman who had been tortured then said: 'Ah Kunigunde, I never in all my life saw you at a witches' dance; on the contrary, I have always known you for a respectable and Christian woman; but I was obliged to say something against you in order to get taken off the rack. You remember that as I was being led along you met me and you said to me: "I should never have expected this of you," and so you came into my head while I was being tortured. I beg your forgiveness, but if I were put on the rack again I should be compelled to denounce you again; what, what am I to do?' Then the old woman was once more put on the rack, once more she made the charge, and the innocent burgher woman was afterwards executed.[1]

'Cases innumerable are known and scream throughout Germany of innocent, Christian, well-brought-up people, full of zeal against injustice and benevolence towards poverty, being denounced by victims of a torture they could no longer endure, arrested, then tortured themselves and driven by agony to "confess" to what

[1] Meyfart, 466 ff., 512.

they had never been guilty of. There are stories extant so horrible and revolting that no true man can hear of them without a shudder.' [1]

A learned papal scribe, 'who came forward to advocate the abolition of the rack,' insisted that at least 'all that made torture so dangerous should be done away with.' [2]

'The torturers, however, wax fierce in spirit at the idea that their means of finance, the torture system, is going to be meddled with, and cast under suspicion'; they raise, for instance, the cry: 'if the statements on the rack were false then all criminal courts would come under suspicion.' 'But,' says Meyfart, 'do not the Canonists who have written on the subject of papal rights show that false statements are wrung out by torture? Why do they dispute about the question whether, when anyone in the extremity of pain falsely accuses other innocent people of a gruesome misdeed, this is a capital crime? What the Canonists knew long ago our inquisitors will not believe.' [3]

'It would be well indeed if in the halls of justice such rhymes as the following were written up:

> When judges only profit seek,
> When hangmen thirst for blood,
> When witnesses would vengeance wreak,
> Then innocence "woe, woe," must shriek.' [4]

Cruelty, sensuality, wantonness, drunkenness, cupidity and revenge, combined with the prevalent superstition, are the ghastly causes which go to the making of witches. 'If the judges,' says Meyfart, among other things, 'did not peruse their Acts, minutes, books

[1] Meyfart, 471–472.
[2] *Ibid.* 492.
[3] *Ibid.* 495–496.
[4] *Ibid.* 478.

and registers in a state of intoxication, in desperate haste, and with foregone conclusions, and if they dealt considerately with the poor prisoners, they would seldom go on as they do, from one bit of hangman's work to another, from one bout of torturing to another, and grub about for reasons and evidence to justify fresh infliction of torture. O ye rulers, do not give wine to the judges to drink and strong drinks to the sheriffs.' [1]

Misguided preachers also deserve blame for the persecution and cruel treatment of the witches. 'Recklessly, unscrupulously,' says Meyfart, 'they clamour for chains and ropes, for towers and dungeons, for wood and straw, for stake and stocks, for powder and brimstone.' 'They call this putting in practice the saying of the Lord: Learn of me, for I am meek and lowly of heart! Where was it ever heard in the Levitical and Christian Church, in the prophetical and apostolic Church, that priests and preachers, in matters so dark, so doubtful, and indeed scarcely comprehensible to human ken, have called and sighed and prayed for the shedding of blood? I cannot believe, nor is it ever to be believed, that that teacher yearns to save the souls who thirsts to burn the bodies.' [2]

But let only 'some unrighteous zealot utter his speech' and at once from the populace and the blockheads thousands of voices are uplifted, out-roaring the wind and the thunder, calling out through all the streets, through all the lanes, through all societies: 'Crucify, crucify!' 'And you, you rulers, you let the chains clang, the screws tighten, the witnesses talk, the torturers torture, the judges condemn, the rods scourge, the ropes strangle, the swords hack, the flames burn, the wheels

[1] Meyfart, 567–568. [2] *Ibid.* 397–398.

crush! Nobody troubles himself about the innocent Joseph, nobody defends him, nobody visits him, nobody comforts him.'

'Yea verily, when the rulers themselves catch this fever of unrighteous zeal, the very works of justice and mercy, which God in His Word says He prefers to burnt sacrifices, declaring that in them He takes delight, will be forbidden, and those people threatened, intimidated, persecuted who in the least degree incline to them.' 'But why do we go on talking? This unrighteous zeal is the cause that the nearest relations and acquaintances mutually accuse each other and wherever they can occasion sorrow and misery.' [1]

'Whole villages, towns and countries are flooded with calumniations, and an honourable man could live far more securely and happily, and in far greater peace of mind as to his good repute, among the Turks and Tartars than among the Christian Germans.' [2]

With unparalleled courage Meyfart addressed himself especially to the rulers and magistrates, and held up before them a mirror in which they might see how large a share of blame, if not indeed the largest, they themselves bore in the frightful horrors of the witch-persecutions. 'Nowadays,' he said, 'many rulers count it among deeds of glory, when they have an opportunity of hounding these poor people, and hope that, whereas they have so far failed to accomplish anything heroic they will obtain the balsam of valour from the stench of brutality. The subjects, forsooth, must lend their feet for errand-running, their backs to beating and belabouring, their heads to be clouted, their cheeks to be smacked, their hands to carry parcels, their eyes to see their

[1] Meyfart, 390. [2] *Ibid.* 563–564.

master's merry pranks, their ears to hear insult and reproach. When the husbands have devoured their substance in banqueting, the wives, forced into whoredom and adultery, have to loan their bodies to good-for-nothing young scamps. Finally the unjust rulers migrate to the land of Sodom and the country of Gomorrha, hunting for blood wherewith to quench the fires they have lighted. They seek out new executioners who have learnt new tricks of torture that new evidence may be extorted and new crowds of people sent to be slaughtered.

'Is it fitting that Christian rulers should rack their brains to devise means for torturing their victims more cruelly and inhumanly than ever before? If it befits Christian rulers to employ villains who know how to act more fiendishly day by day, then it also befits Christian rulers when these wretches have come to their wits' end and can invent nothing further, to employ the devils themselves, for evil spirits are well practised in cruelty.'[1]

'In addition to the executioners these Christian rulers appoint special witch-judges, such as the grand inquisitors formerly were. That name ringing strange to them (though there is nothing bad in it), they change it into other higher sounding titles, likely to be revered and feared, calling them witch-councillors, fiscal officers and commissioners. These men, when their appointments have been confirmed and their oaths taken down, puff themselves up, boast of their plenary power, brag and bluster at dinner-parties of how they can domineer over the torturer, and how they are at liberty if necessary to conduct the proceedings against the prisoners without the orders or knowledge of the higher officials; how, in

[1] Meyfart, 405–406.

fact, they had never been reported to the chancellor and the chancery assessors. Christian rulers often pay these officials according to the number of the prisoners, twelve thalers, more or less, per head, in order to sharpen the judges' appetites. When this is done, the Christian rulers are quite happy and secure in their peaceful consciences and are content that the executioner with his cruelty and gruesome apparatus should torture his victims from morning till night, from the Monday till the Tuesday and so on till the Wednesday, till at last he has extracted the confession.

'The rulers exonerate themselves on the plea that they had left the matter in the hands of the officials; if the procedure was unjust those men must answer for it; it is not for them (the rulers) to worry about it. The pretext is like a house built on the sand. The rulers can trouble themselves about trifling things, about the rents, the rates, the chase and so forth; they take care that their horses, mules, oxen, hounds, monkeys and cats are well looked after. Will God keep silence and accept the rulers' excuse as just, that they trouble themselves about small, contemptible things, but in what concerns the life and property, the honour and good name of their poor subjects, they put the business out of their heads and relegate it to others.' 'It would be right and just for the rulers to witness the torturing, to hear the raging and ranting of the executioners, the confused, ridiculous, incredible, impossible statements of the tortured. It would be just and right for them to sit by and hear in person the wrangling, disputing, and contradicting that goes on among the judges.' 'But what really happens? Numbers of rulers only skim through the statements, count up the accomplices denounced, laugh at the jokes,

send or give the letters to the officials, commissioners and fiscal officers, ride or drive off to the hunt, and spend their time in business to which they are not in any way called.' [1]

The inevitable nemesis had already overtaken princes and people: the 'Thirty Years' War' had begun.

[1] Meyfart, 405–417.

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